

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF FLORIDA

3 CASE NO. 9:18-cv-80176-BB/BR

4 IRA KLEIMAN, as the personal representative
5 of the Estate of David Kleiman, and
6 W&K Info Defense Research, LLC,

7 Plaintiffs,

8 -vs-

9 CRAIG WRIGHT,

10 Defendant.

11 * * * * *

12 VIDEOTAPED TELECONFERENCE DEPOSITION OF JIMMY NGUYEN

13 DATE TAKEN: April 30, 2020

14 TIME: 12:05 p.m. - 7:35 p.m.

15 TAKEN BEFORE: RICK E. LEVY, RPR, FPR
16 AND NOTARY PUBLIC

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1 APPEARANCES:

2 On behalf of the Plaintiff:

3 VEL FREEDMAN, ESQUIRE
4 ROCHE FREEDMAN, P.A.
5 200 S. Biscayne Boulevard
Suite 5500
Miami, Florida 33131

6 ANDREW BRENNER, ESQUIRE
7 BOIES SCHILLER & FLEXNER, P.A.
8 100 S.E 2nd Avenue
Suite 2800
9 Miami, Florida 33131
abrenner@bsfllp.com

10 On behalf of the Defendant:

11 ANDRES RIVERO, ESQUIRE
12 ZALMAN KASS, ESQUIRE
13 RIVERO MESTRE, P.A.
2525 Ponce de Leon Boulevard
Suite 1000
14 Coral Gables, Florida 33134

15 APPEARING ON BEHALF OF THE WITNESS:

16 SPENCER SILVERGLATE, ESQUIRE
17 TREVOR GILLUM, ESQUIRE
18 CLARKE SILVERGLATE, P.A.
799 Brickell Avenue
Suite 900
19 Miami, Florida 33131

20 Also Present: Michael Hollander, The Videographer
21
22
23
24
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I N D E X
- - -

WITNESS: DIRECT CROSS REDIRECT RECROSS
JIMMY NGUYEN
BY MR. FREEDMAN: 6

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2 THE VIDEOGRAPHER: We are now on the record.
3 Participants should be aware that this proceeding
4 is being recorded. As such all conversations held
5 will be recorded unless there is a request or
6 agreement to go off the record. Private
7 conversations and attorney-client interaction
8 should be held outside the presence of this remote
9 interface. This is the remote video recorded
10 deposition of James Nguyen taken by counsel for the
11 plaintiff.

12 Today is Thursday April 30th 2020 and the time
13 is now 12:04 p.m in the Eastern Time Zone. We are
14 here in the matter of Kleiman vs Wright. My name
15 is Michael Hollander, remote video technician on
16 behalf of US Legal Support. I am not related to
17 any party in this action nor am I financially
18 interested in the outcome.

19 At this time will the reporter Rick Levy on
20 behalf of US Legal please enter the statement for
21 remote proceedings into the record.

22 THE COURT REPORTER: The attorneys
23 participating in this deposition acknowledge that I
24 am not physically present in the deposition room
25 and that I will be reporting this deposition

1 remotely.

2 They further acknowledge that in lieu of an
3 oath administered in person I will administer the
4 oath remotely. This arrangement is pursuant to the
5 Florida Supreme Court Administrative Order No.
6 AOSC20-16.

7 The parties and their counsel consent to this
8 arrangement and waive any objections to this manner
9 of reporting. Please indicate your agreement by
10 stating your name and your agreement on the record.

11 MR. FREEDMAN: Vel Freedman for the
12 plaintiffs, we agree.

13 MR. RIVERO: Andres Rivero for Dr. Wright, we
14 agree.

15 MR. KASS: Zalman Kass for Dr. Craig Wright,
16 we agree.

17 MR. SILVERGLATE: Spencer Silverglate, counsel
18 for the witness Jimmy Nguyen, we agree.

19 MR. GILLUM: Trevor Gillum with Jimmy Nguyen
20 agree.

21 THE WITNESS: My name is James. I go by Jimmy
22 Nguyen, N-G-U-Y-E-N. I declare my testimony in
23 this matter is under penalty of perjury.

24 - - -

25

1 Thereupon,

2 (JAMES NGUYEN)

3 having been first duly sworn or
4 affirmed, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. FREEDMAN

7 Q. Good morning Mr. Nguyen, how are you?

8 A. Fine. How are you?

9 Q. Before we just get started with the
10 formalities of the deposition I just wanted to lay out a
11 quick schedule the way I was hoping this would go. I
12 know it's about 9:00 by you. Obviously we can take some
13 breaks but I wanted to take our lunch break at 12:00 by
14 you which would be 3:00 here.

15 A break for about an hour or hour and 15 if
16 that's enough for you. Then if we still have more to go
17 we can finish up and if we're done obviously we're done.

18 A. Okay.

19 Q. All right.

20 MR. RIVERO: Vel, if I may, just for avoidance
21 of doubt we're going to designate the deposition as
22 confidential and then review it subsequently to
23 de-designate but just for avoidance of that we're
24 invoking that.

25

1 BY MR. FREEDMAN

2 Q. Mr. Nguyen, can you please state your name --
3 just before we begin am I pronouncing it correctly, is
4 it Nguyen?

5 A. Tough name to pronounce. That's good.

6 Q. What is properly I'll give it one shot and
7 then we'll move on.

8 A. Well, Vietnamese pronunciation is Nguyen but
9 that's very difficult for American English and you so a
10 lot of people say Nguyen or sometimes I just say Nguyen.

11 Q. Got it. I am going to stick to Nguyen because
12 you are right I would not have gotten that correct.
13 Mr. Nguyen, can you please state your name and date of
14 birth for the record?

15 A. Name is N-G-U-Y-E-N. I pretty much go by
16 Jimmy [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 Q. Actually Mr. Nguyen, every once in a while
20 your voice is cutting out a little bit. I don't know if
21 there is a microphone if you can bring it a little
22 closer?

23 A. I'll talk louder.

24 Q. That works. Perfect. Mr. Nguyen, you
25 understand that your testimony is being recorded today?

1 A. Yes.

2 Q. And you understand both by a court reporter
3 who is taking a transcript and a videographer who is
4 taking a video?

5 A. Yes.

6 Q. And you understand that your testimony may be
7 shown to a jury at some point in this case?

8 A. Yes, I understand that.

9 Q. And I know you're a lawyer but you understand
10 that your testimony is being given today under oath,
11 correct?

12 A. Yes, I do.

13 Q. If you don't understand a question,
14 Mr. Nguyen, I need you to let me know and I'll re-ask
15 it, is that fair?

16 A. Yes, that's fair.

17 Q. If you don't I will assume you understood the
18 question and I'm going to rely on your answer, okay?

19 A. Okay.

20 Q. Are you -- I'm going to also assume you have
21 familiarity with the groundrules of a deposition like
22 oral responses and breaks and anything like that given
23 your experience. Tell me if I'm wrong.

24 A. Generally. It's been a number of years since
25 I've been involved in a deposition.

1 Q. Do you want me to go through? I'll go through
2 them just to refresh your memory. You know I need you
3 to give oral responses -- sorry?

4 A. I haven't practiced law in a while so it's
5 been a while.

6 Q. So I need you to give oral responses if you
7 can so the court reporter can take them down.
8 Intuitively we nod our heads but I actually need you to
9 say yes or no. And if you need a break at any point in
10 time just let me know. This isn't a marathon. We'll
11 stop. You can stretch your legs, get a drink, whatever,
12 use the restroom. Are you on any medications that would
13 affect your ability to testify today?

14 A. No.

15 Q. Have you ever been deposed before?

16 A. I believe so. I have never testified in court
17 proceedings before but I think I've been deposed.

18 Q. Did it have anything to do with the matters at
19 issue in this case?

20 A. No.

21 Q. One last housekeeping matter. Do you hold
22 citizenship for any country besides the United States?

23 A. No.

24 Q. Can you give me a brief professional
25 background of your career?

1 A. Sure. I have been a lawyer most of my
2 professional career. I graduated law school in 1995 and
3 I was in private practice at corporate law firms from
4 1995 until I left legal practice, at least private
5 practice, in early 2017.

6 So I have been an associate and then a partner
7 at several major law firms. I can list them for you if
8 you need?

9 Q. Sure.

10 A. Most of my career was spent at Foley & Lardner
11 in the Los Angeles office. I lived in Los Angeles most
12 of my life. Foley & Lardner in Los Angeles with a
13 little gap in between where I went to a boutique firm
14 before I came back. Then I think I was in total at
15 Foley & Lardner about 12 years or so. Then I went to
16 help a Chicago based firm launch their Beverly Hills/Los
17 Angeles office called Wildman, Herald. It's now merged
18 into another firm and then the last major firm of my
19 career was Davis, Wright & Tremaine where I was for
20 about I think six years. All of those were in Los
21 Angeles offices.

22 Then after I left Davis, Wright & Tremaine to
23 work with nChain which I know we'll talk about I was
24 there for a short period of time kept my own legal
25 practice to assist some of my longstanding clients on

1 some matters they wanted me to continue helping them on
2 for a period of time. It wasn't something I did for a
3 long time.

4 Q. Go ahead.

5 A. Then I joined the Bitcoin world.

6 Q. When did you stop practicing law?

7 A. Good question. I went on inactive status with
8 the California Bar when I moved out of California which
9 was in December 2018. I would say I stopped doing legal
10 work, legal advice work, towards the end of 2017.

11 Q. Then I know that you said you left private
12 practice to join nChain. Was that around 2018?

13 A. No, we -- I signed on with nChain in I believe
14 it was in September of 2016. I notified my law firm
15 that I was intending to leave the law firm partnership
16 to pursue other ventures and it took -- there was kind
17 of a bit of a transition process. A long period of time
18 to wind down, transfer my client relationships and
19 matters. I had been a lawyer for so long. Departing
20 and you don't want to leave your clients in a difficult
21 situation.

22 It took me longer than I expected to actually
23 complete the process to transition out of the law firm
24 but I signed on to join nChain in September of 2016 I
25 believe is the month and sort of overlapped with my

1 departure from the law firm.

2 Q. Can you walk me through the positions you held
3 at nChain starting from -- actually take one step back.
4 Are you still at nChain today?

5 A. No, I am not.

6 Q. Can you walk me through the positions you held
7 at nChain starting from November 2016 when you started
8 and going up until you left?

9 A. Sure. In the beginning I didn't have a formal
10 title. The company was fairly new and part of my, you
11 know, job that I was asked to do was help figure out a
12 number of things at the company such as in particular
13 focusing on its IP program since my legal practice that
14 I had in law was focused on IP and digital technology
15 areas.

16 So in the beginning I would say I didn't have
17 a title. Eventually we gave me a title to cover those
18 duties but the general area in which I was asked to work
19 was the commercialization of intellectual property.

20 Eventually I got the title of IP
21 Communications and Legal Officer to summarize the
22 variety of tasks that were described in my first
23 contract with nChain because it included IP strategy,
24 some communications, marketing related things as well as
25 legal advice related to particularly the IP.

1 Then I became later chief business officer for
2 a very short period of time because then I got asked to
3 become CEO of the company.

4 So I was CEO for a while and then when I left
5 that role I was appointed to be chair of what we call a
6 Strategic Advisory Board and I maintained that role
7 until last month, March 2020.

8 Q. Did you say the Strategic Advisory Board?

9 A. Yes.

10 Q. So I am going to try -- I think I took some
11 notes I'll try to break it down a little bit. You
12 started with nChain in November 2016 and you didn't have
13 a formal title until you got the title of IP
14 Communications and Legal Officer. How long did that no
15 formal title period last?

16 A. I have to correct you one thing about your
17 question. I signed on to nChain in September of 2016, I
18 believe, not November.

19 Q. Sorry. I have September written down. I
20 don't know why I said November. September.

21 A. What was your question?

22 Q. There was this intermediate period where you
23 didn't have a formal title. How long did that last?

24 A. From September 2016 to sometime I think in
25 spring of 2017. I would say around March or April.

1 Q. Of 2017?

2 A. Correct.

3 Q. And then -- so I'm assuming around -- I
4 understand these aren't exact but around April of 2017
5 you obtained this title of IP Communications and Legal
6 Officer?

7 A. Yes.

8 Q. And then how long did that last until you were
9 made chief business officer?

10 A. I think -- I have these dates on my LinkedIn
11 profile. I think I would say it was around September,
12 October. I think October because I was only the chief
13 business officer for two months before I got asked to
14 take on the CEO role and I took on the CEO role in 2017.
15 I think it was October 2017 when I became Chief Business
16 Officer.

17 Q. Got it. As you know this isn't a test so
18 you've referenced your LinkedIn page. So if that helps
19 you I'm happy to bring that up on the screen for you.
20 Do you see that here?

21 A. I saw it for a second.

22 Q. What if I put it here and make it bigger. How
23 is that?

24 A. I can see that now.

25 MR. FREEDMAN: Let's mark this as Exhibit 1

1 though I'm never going to be able to keep track of
2 them all. One drawback of these electronic
3 depositions but I'll do my best and maybe Rick,
4 Mr. Court reporter, you can help me here.

5 (Plaintiff's Exhibit No. 1 was
6 marked for identification.)

7 BY MR. FREEDMAN

8 Q. I'm going to scroll down here to your nChain
9 titles. Do you see that here?

10 A. Yes.

11 Q. So I guess -- why don't we go down to the
12 bottom. You have from February 2017 to October 2017.
13 So I guess if I'm reading this correctly that no formal
14 title period probably went from September of 2016 until
15 February of 2017?

16 A. That's correct.

17 Q. And then we had February of 2017 you were the
18 IP -- chief IP Communications and Legal Officer, right?

19 A. Yes.

20 Q. That went about until November of 2017 it
21 looks like; right?

22 A. Correct.

23 Q. At which time you then became the Chief
24 Business Officer. Sorry, I'm reading it wrong. Then
25 that lasted until as you said a very short period just

1 until December so about a month or so; right?

2 A. About right. About a month approximately.

3 Q. And then on December of 2017 you became the
4 CEO?

5 A. Correct.

6 Q. And that lasted until November of 2018;
7 correct?

8 A. Yes, approximately. My transition out of the
9 CEO role was sort of gradual and so it's -- exact date
10 is hard to define. It was right around -- there was I'm
11 sure you've heard about a hash war in the Bitcoin cash
12 and Bitcoin SV world so it was right after that time.

13 Q. Got it. Then you slowly transitioned out in
14 November of 2018 or so and then from about December of
15 2018 until March of 2020 you were then the chair of the
16 Strategic Advisory Board?

17 A. Yes.

18 Q. And at what point in this progression did you
19 stop performing any kind of legal services for nChain?

20 A. I would say after I took the chief business
21 officer title. I certainly still had to be involved in
22 legal matters, particularly with outside counsel since I
23 was the executive on the team that was a former lawyer
24 but I did -- was not acting in a legal advisor role I
25 think after that point. Managing the legal affairs that

1 happened but more from a business perspective.

2 Q. Got it. Who was your contact to initially
3 join nChain?

4 A. Robert MacGregor.

5 Q. How did you know Robert MacGregor?

6 A. I've known Rob for many years. Originally he
7 was a client contact of mine in my legal practice and
8 that's how I first got to know him.

9 Q. Got it. Let's get back to that. When did you
10 first meet Calvin Ayre?

11 A. A long time ago. I'm trying to remember. I
12 don't remember the exact year. I would say around 2006.

13 Q. What was the context of that meeting?

14 A. When I was a lawyer I was asked to start doing
15 legal work for I think it was a media agency or media
16 business that worked with or was related to his Bodog
17 business at the time?

18 Q. Did you ever do legal work for him or his
19 companies?

20 A. I definitely did legal work for Bodog
21 companies. I'm trying to remember if -- I believe my
22 firm also did some legal work for him individually.

23 Q. Did you yourself?

24 A. I was involved in it since I was the law
25 firms -- the relationship partner, the key contact with

1 the client but you use colleagues with other specialty
2 areas, you know, that are outside of my specialty area.

3 Q. Is it safe to say you have not acted as a
4 lawyer for -- let me just ask you. When is the last
5 time you worked as a lawyer or gave legal advice to
6 Calvin Ayre?

7 A. To Calvin Ayre personally?

8 Q. Yes.

9 A. Quite a long time.

10 Q. 10 years?

11 A. Probably sooner than that. I'm trying to
12 remember the sequence of law firms. Probably we're in
13 2020 so around 2000 -- in the mid 2000s I think. Sorry
14 not 2000s. Around the 2013, 2014 maybe time period.

15 Q. Is that the same response for any companies
16 that are affiliated with him as well?

17 A. It's been a long time so that's why I don't
18 remember.

19 Q. I understand. Is that the same answer for
20 companies that may have been affiliated with him as well
21 not since 2013, 2014ish?

22 A. Trying to remember that as well. It would
23 probably be somewhere similar in that time period.
24 That's tougher for me to answer because I know at some
25 point Calvin left the Bodog organization from the online

1 gaming industry and so there were some of the companies
2 that I did legal work for from that organization or I
3 continued to do legal work for but I don't think Calvin
4 was involved any more.

5 Q. Got it.

6 A. At least that's what I was told.

7 Q. Do you know what Calvin's connection to Craig
8 Wright is?

9 A. Yes. So I wasn't involved personally but what
10 I've been told and tell me if you want me to testify
11 about things I've been told but Stefan Matthews had
12 known Craig Wright for many years ago from Australia.
13 They had a working relationship because Stefan was the I
14 think CIO or CTO of an online gaming company in
15 Australia that was going public and they needed auditing
16 work done and at the time Craig worked for BDO, one of
17 those auditing firms. He used to work in the auditing
18 field and so they had -- you know, they had a prior
19 working relationship they knew each other.

20 At some point Craig's Australian companies
21 were in financial distress, financial trouble, and as I
22 understand it I was told by Stefan that Craig contacted
23 Stefan to try and find routes for help. Stefan then
24 introduced Craig to Calvin and that's how they met.

25 Q. Do you know about when that was?

1 A. Probably 2015 but I don't know for sure.

2 Q. Have you ever talked to Craig about that?

3 A. About the introduction? I've talked to Craig
4 about his work with Stefan in years past. I don't think
5 I've ever talked with Craig about how --

6 Q. Do you know whether or not Calvin is funding
7 Craig Wright?

8 A. Funding what I guess?

9 Q. You tell me. Do you know if he is funding
10 anything?

11 A. So I understand they have some kind of
12 financial agreement that I don't know the terms of.

13 Q. Who told you they have a funding agreement?

14 A. I wouldn't call it a funding agreement. I
15 don't know the terms of it. I know they have some
16 agreement that I have heard about from some of Calvin's
17 representatives. Calvin has a whole family office and
18 lawyers and executives so the subject has come up in
19 discussions since I don't represent either Calvin or
20 Craig individually that's sort of between the two of
21 them.

22 Q. And Craig has never made any statements to you
23 about this financial relationship?

24 A. No.

25 Q. Do you know whether or not Calvin has given

1 Craig a loan that is secured by Craig's Bitcoin or
2 intellectual property?

3 A. I do not know.

4 Q. Does Calvin own Coin Geek?

5 A. Yes. As far as -- does he own it personally I
6 don't know. Sometimes from my understanding there's
7 companies that he is associated with but is he the
8 founder general owner of Coin Geek businesses that's my
9 understanding.

10 Q. When I say owner I understand that affluent
11 individuals use complex structures to control assets.
12 The ultimate beneficial owner essentially traced back to
13 Calvin?

14 A. From what I understand, yes.

15 Q. Does Calvin have any financial interest in
16 nChain?

17 A. He is now as I understand it a shareholder.

18 Q. When did that start?

19 A. You know, this was after I was CEO so I was
20 less involved in operational structure but -- there's I
21 think a press release or something about it. I think it
22 was announced in December last year. I don't know when
23 it became effective.

24 Q. And before that date did he have any interest
25 in nChain at all even through holding companies or other

1 companies affiliated with him?

2 A. Not that I'm aware of. I was always told he
3 was not a shareholder and didn't have a financial stake
4 in nChain at the time.

5 Q. It doesn't -- I'm trying to figure it out
6 because you're saying that you've heard that Craig
7 turned to Stefan Matthews for help in bailing out the
8 businesses in Australia?

9 A. Yes.

10 Q. And then Stefan introduced Craig to Calvin?

11 A. Yes.

12 Q. And then as we'll talk about there is a
13 transfer of intellectual property from those Australian
14 companies to nChain; right?

15 A. Yes.

16 Q. And so I'm trying to figure out why Calvin
17 doesn't have a stake in it, doesn't add up to me?

18 A. There's another step in the process you hadn't
19 asked me about yet.

20 Q. Okay.

21 A. Calvin and Stefan introduced Craig to Robert
22 MacGregor.

23 Q. Got it. I see. And Robert MacGregor was the
24 one who provided all the funds then?

25 A. Robert MacGregor was -- had a company in the

1 UK called The Workshop and it's a holding company as I
2 understand it it's the one that did the deal with the
3 marketing group.

4 Q. Got it.

5 A. Craig's company in Australia.

6 Q. But where is Robert MacGregor now?

7 A. You know, I'm not sure. I haven't heard from
8 him in a while. Last I heard he was in London.

9 Q. Do you have contact information for him?

10 A. I do. I would say the last time I e-mailed
11 him I didn't hear back so I don't know if it's still
12 valid. He's had health -- a serious health issue over
13 the last few years so he has not been as active.

14 Q. Does Robert MacGregor or any of his companies
15 maintain any kind of interest in nChain?

16 A. Not that I know of.

17 Q. So getting back to Calvin and nChain, Coin
18 Geek is it fair to say that Calvin's companies invest in
19 nChain?

20 A. I'm sorry, could you repeat that question?

21 Q. Is it fair to say --

22 A. Give qualification to my last answer which is
23 since I've been out of the CEO role of nChain I'm less
24 aware of anything that's happened with respect to the
25 ownership structure, corporate structure.

1 Q. Of course. Just what you know, all I'm asking
2 for is what you know. So does Calvin -- do Calvin's
3 companies invest in nChain?

4 A. Well, I don't -- I don't think I can answer
5 that because I was not involved in the share or whatever
6 agreement that led to him becoming a shareholder.
7 Presumably something happened there but I don't know the
8 terms.

9 Q. I understand. Give me a second here. Does
10 nChain find lots of ways to work very closely with
11 Calvin's companies?

12 A. Yes, that's a fair claim. I don't know how
13 it's defined but there are a lot of common goals for the
14 growth of Bitcoin in particular, Bitcoin SV so there's
15 definitely a close working relationship.

16 (Plaintiff's Exhibit No. 2 was
17 marked for identification.)

18 BY MR. FREEDMAN

19 Q. I am going to share with you Exhibit 2 to this
20 deposition which is a video or an interview that you did
21 I believe with Cryptofinder. Do you recall this
22 interview?

23 A. Yes. I don't recall the interview but I
24 recall doing it.

25 Q. Fair to say what the video captured is what

1 you said?

2 A. I would assume so.

3 Q. I am going to play for you I hope this works
4 where at the 26 minute and 16 second mark let me know if
5 you can hear this, okay?

6 A. Sure. I cannot hear it.

7 MR. FREEDMAN: You cannot hear it? That is a
8 problem. Let me see if I can fix that.

9 MR. SILVERGLATE: Do you want to go off the
10 record?

11 BY MR. FREEDMAN

12 Q. Give me one second. I might be able to fix
13 that this way. Can you still hear me?

14 A. Yes.

15 Q. Let's try I am going to go back to the 26
16 minute if it lets me.

17 A. Still cannot hear it.

18 Q. All right. If this doesn't work we'll have to
19 go off the record but I'm hopeful we got it. How about
20 now?

21 VIDEO AUDIO VOICE: That relationship stopped
22 between Coin Geek and nChain.

23 MR. NGUYEN: Well, Calvin's been interested in
24 Bitcoin for a while. Online gaming industries one
25 of the first industries to adopt Bitcoin a long

1 time ago. So he got introduced to Craig and they
2 became friends a number of years ago. I could say
3 2015 or so and then obviously Calvin has learned a
4 lot about Bitcoin from Craig so when nChain emerged
5 Calvin was kind of getting more involved in
6 Bitcoin. He started the Coin Geek brand as a media
7 site at first and then decided to start getting
8 into mining.

9 So mining operations got more started
10 investing so nChain and Coin Geek are very close
11 business allies. We I do lot of things together.
12 Obviously we both have money operations. We have
13 the hash fork together. We align on things. We're
14 starting new efforts and investing where for
15 example Coin Geek is providing investment funds and
16 nChain is providing access to its IP and technical
17 portfolio to the investment companies.

18 BY MR. FREEDMAN

19 Q. I want to stop there for a minute. I don't
20 know if you recall I asked you whether or not Calvin's
21 companies invested in nChain I don't recall what your
22 answer was but I don't think it was yes. Not sure if it
23 was no but this help refresh your recollection Coin Geek
24 does provide investment funds to nChain?

25 A. It actually confirms what I -- my prior

1 answer. I think you're referring to the last part of
2 the clip you just played where I'm talking about they
3 collaborate where Coin Geek is investing in new Bitcoin
4 tech start ups and nChain is involved by providing
5 access to nChain's IP technology to help the new start
6 ups.

7 That happened because -- so it's not Coin Geek
8 investing in nChain. I was talking about Coin Geek
9 investing in -- we even had nChain at first and then
10 Coin Geek has invested in a number of the Bitcoin start
11 ups in the world. That's what I was talking about.

12 Q. Thank you for that clarification. Would it be
13 fair to say that Coin Geek financially supports nChain's
14 teams?

15 A. Here is how I would answer that. Certainly
16 not all the teams but the arrangement is when Calvin and
17 Coin Geek wanted to support a competing what we call
18 software implementation, by completing reference
19 implementation of Bitcoin protocol when there were
20 disagreements at the time in 2000 -- I guess this was
21 2018 we were supporting a version of Bitcoin called
22 Bitcoin Cash. As you know now there's several competing
23 versions of Bitcoin.

24 There was a split between BTC, Bitcoin core as
25 we call it, and Bitcoin Cash. Then we were supporting

1 Bitcoin Cash after that split which happened in 2017.
2 There became disagreements among the different group
3 protocol developer groups involved in Bitcoin Cash and
4 Craig wanted to basically compete against the other
5 Bitcoin Cash implementation and see which the miners
6 would follow, that led to what's called this hash war.
7 To do that work to create a new version of the software
8 that more aligned to Craig's vision that's why we call
9 it the Satoshi Vision that took work.

10 The nChain team is the development team that
11 did that work. It's done under a service agreement with
12 the Bitcoin Association which I now run and Calvin funds
13 the Bitcoin Association right now until we find other
14 ways of revenue which is membership revenue which is
15 something that's going to start happening soon.

16 The work that is done on not all of nChain but
17 the work -- nChain does a variety of things. The
18 development work done for Bitcoin SV, the software
19 implementation, the technical scaling work for that
20 infrastructure is done through nChain under a service
21 agreement through Bitcoin Association which is funded by
22 I don't know that it's Coin Geek it's maybe -- some
23 entity associated with Calvin.

24 Q. That's helpful. Would it also be fair to say
25 nChain is a team that is the Bitcoin SV no team and they

1 are financially supported by Coin Geek.

2 A. I don't know if it's by Coin Geek per se but
3 ultimately by a Calvin funded organization. That's
4 pretty public. Very public about that.

5 (Plaintiff's Exhibit No. 3 was
6 marked for identification.)

7 BY MR. FREEDMAN

8 Q. So I am going to attempt to share with you
9 again I guess we're now on Exhibit 3. See this You Tube
10 page that's the popped up?

11 A. Okay.

12 Q. This appears to be a little I'm not sure if
13 it's an interview. It looks like an interview Coin Geek
14 put out in April 2019. Do you recall this interview?

15 A. I do so many interviews -- meeting interviews.
16 I don't recall every single one but it looks familiar.

17 Q. That's you?

18 A. Yes, that's me. I do a lot so when people ask
19 me do I remember particular interviews they sort of blur
20 together.

21 Q. I totally understand that. Do you understand
22 from an evidentiary perspective I just need to make sure
23 it's you, it's a video, it's what you said?

24 A. I understand.

25 Q. All those things are true?

1 A. Once you play the video I am fairly certain I
2 will be able to confirm it's video -- interview I did.

3 Q. I am going to particularly direct you to the
4 time stamp of this video of 2:09. We are going to start
5 at 2:08 and let's take listen for a second.

6 MR. NGUYEN: Work for nChain. So nChain has a
7 chain that is the Bitcoin. They are supported
8 financially by Coin Geek. They -- the project is
9 owned by the Bitcoin Association. So it's kind of
10 an interrelated set of relationships but --

11 BY MR. FREEDMAN

12 Q. I am going to stop there for a second. I was
13 reading a quote from you again not -- this is not a test
14 but is it fair to say I guess that the nChain team --
15 nChain has a team that is the SV Bitcoin No Team they
16 are financially supported by Coin Geek.

17 A. I think it's a fair statement. I was trying
18 to remember what entity it is because Coin Geek is not a
19 single entity. Coin Geek brand I guess you can say.

20 Q. Absolutely understood. I want to ask you
21 about something you said in the second half of that
22 which was Calvin and I are of course a huge supporter of
23 Bitcoin SV and the project owned by the Bitcoin
24 Association. What do you mean by that?

25 A. Someone -- when you create software you have

1 to answer the question who owns it. So it's the Bitcoin
2 Association.

3 Q. So meaning like the source code that creates
4 the Bitcoin SV client is owned by Bitcoin Association?

5 A. I'm just trying out that technical way to
6 describe it. I'm not sure exactly right. Bitcoin
7 Association owns the Bitcoin SV No software.

8 [REDACTED]
9 [REDACTED]
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14 Q. Understood. So just getting back to the video
15 that is on the screen can you now confirm this is an
16 interview you gave and it's accurately recorded your
17 responses?

18 A. Yes.

19 Q. Thank you. Have you ever communicated with
20 Calvin through text message?

21 A. No.

22 Q. WhatsApp?

23 A. He is not a texter.

24 Q. Any method beyond calling or e-mails?

25 A. Not that I recall. Just those two ways.

1 Q. I want to jump with Robert MacGregor if you'll
2 come with me. You gave me some information about him
3 already. Can you explain to me how -- I understand
4 practically how because you've told me Stefan Matthews
5 introduced Craig to Calvin and Calvin to Robert
6 MacGregor but so not mechanically how but I guess what
7 is Robert's connection to Craig. How did that whole
8 thing come about?

9 A. Sure. Again I'll just repeat I wasn't
10 directly involved in any of this so I'm just going to
11 tell you what I've been told. As I understand it so
12 Stefan outreached from Craig. I introduced Calvin
13 because obviously he had an interest in Bitcoin. Craig
14 used to also do work in the online gaming industry as
15 well in some parts. And then at the time Rob, I don't
16 know if it was at the time but he had started a company
17 in Canada called nTrust. It was a set of businesses
18 that brand name to the public was nTrust that was
19 involved in electronic money transfer and international
20 remittance.

21 So -- as I found out later I think Craig had
22 even talked once to Rob before and might have been
23 introduced to by Stefan because Rob and I have to be a
24 bit careful because nTrust was a client of mine for many
25 years when I was a lawyer so I have to be careful about

1 what I disclose related to that but I can tell you that
2 nTrust and Rob MacGregor were interested in exploring
3 Bitcoin and virtual currency technologies as a fast,
4 more efficient way to be able to send funds across
5 countries for example.

6 The remittance fee could be very high. An
7 overseas worker from the Philippines who is young and
8 left to move to Canada work and send money back to my
9 family in the Philippines the percentage you have to pay
10 to do that is high and so for the nTrust business I know
11 Rob MacGregor had been interested and once Bitcoin and
12 digital currencies came out in exploring how that could
13 be useful for his business and so as I understand it
14 that's why Stefan and Calvin introduced Craig to Rob at
15 this time thinking what Craig was doing with Bitcoin
16 could be useful for what nTrust could possibly do.

17 Q. Do you know the final deal that Robert
18 MacGregor struck with Craig?

19 A. No. I was not involved in that at all.

20 Q. Did you ever review the deal documents that
21 came out of that deal?

22 A. I did later after I started working for nChain
23 but they're very long and so I won't say I read them all
24 in detail. I have seen them but yes, it was after --
25 well after the transaction.

1 Q. Can you give me a kind of high level summary
2 understanding that it may not be 100 percent accurate of
3 what that deal looked like?

4 MR. RIVERO: Object to the form.

5 THE WITNESS: Not really. Honestly I know
6 there was the agreement, some payments and transfer
7 of assets. At a high level that's what happened.

8 BY MR. FREEDMAN

9 Q. Do you know which assets got transferred?

10 A. I couldn't tell you. There's a long list I
11 know. Without looking at that agreement I wouldn't
12 know. Even looking at the agreement since I was not
13 involved with its negotiation. I don't know I have the
14 basis to answer that.

15 Q. Have you seen an agreement that involved the
16 transfer of Satoshi Nakamoto's life rights?

17 A. I don't know if I've seen -- I know there is
18 one. I think life story rights.

19 Q. Do you know if the deal included all
20 intellectual property created?

21 MR. RIVERO: Objection.

22 BY MR. FREEDMAN

23 Q. Do you know if the deal included beyond just
24 life story rights but also included intellectual
25 property rights?

1 MR. RIVERO: Object to the form.

2 THE WITNESS: As I understand it it included
3 certain -- I understand the deal included transfer
4 of certain IP assets but sitting here today I could
5 not tell you what those are.

6 BY MR. FREEDMAN

7 Q. Owned by Robert MacGregor at the time these
8 transactions took place?

9 A. Can you repeat that question?

10 Q. Was nChain owned by Robert MacGregor at the
11 time these transactions took place?

12 A. There was no nChain at the time.

13 Q. The BITC Holdings, let me amend that.

14 A. I think I don't know -- I'm not sure which was
15 the entity that acquired the DeMorgan Group assets and I
16 know that the entity that is now known as nChain I think
17 got created as I understand it in connection with what
18 happened with this transaction.

19 So that's why it's hard for to answer did Rob
20 MacGregor own nChain because I'm not sure the nChain
21 entity existed at the time. I'm not certain. I wasn't
22 involved in the transaction of the structure.

23 Q. So the assets that were acquired by Robert
24 MacGregor in that deal with Craig eventually ended up
25 being controlled by nChain?

1 MR. RIVERO: Object to the form.

2 THE WITNESS: I don't know that I have a basis
3 to answer that.

4 BY MR. FREEDMAN

5 Q. Haven't you reviewed the agreements?

6 MR. RIVERO: Objection.

7 THE WITNESS: They were long and I didn't
8 review them for that purpose. In general the
9 assets that were acquired from the DeMorgan Group
10 got transferred I believe -- I just don't know if
11 they all got transferred to the same entity.
12 That's part of why I'm pausing. It's like which
13 entity owned which assets I'm not sure.

14 BY MR. FREEDMAN

15 Q. I'll just go where I'm getting to maybe you
16 can help me make it easier which is I'm trying to find
17 out how Robert MacGregor ended up out of the picture.
18 Because you told me he was the one that purchased
19 everything from Craig then you told me he no longer has
20 interest in nChain. How did he get removed?

21 A. He became unhappy with Craig at a certain
22 point and again I'm telling you this all second hand
23 because I wasn't there. So it's what I've heard from
24 other people and he thought about closing the nChain
25 operation at one point. Stefan Matthews wanted to

1 continue it and there was a transaction which was
2 announced in 2017 about a public investment fund in
3 Malta acquiring the nChain set of companies from Rob's
4 company. Basically he was unhappy with Craig and didn't
5 necessarily want to be involved any more.

6 Q. Do you know why he was unhappy with Craig?

7 A. Yes. Well, Craig is -- can be a difficult
8 business colleague. You know, has been widely reported
9 in the media there was an effort in the spring of 2016 I
10 believe it was or in 2016 to show that Craig is Satoshi
11 Nakamoto, creator of Bitcoin.

12 It happened after there was some media
13 articles that tried to out Craig as Satoshi I believe in
14 the December before that this process to establish Craig
15 as Satoshi at the end did not go well and as I
16 understand it Rob was upset with Craig.

17 Q. Can you explain what you mean "did not go
18 well?"

19 A. Well, I'm telling you all that from reports
20 obviously because I wasn't -- I knew it was happening
21 because this was when I was in talks with Rob to start
22 working for nChain but I wasn't directly involved with
23 it. Craig did not media interviews to come out and say
24 I am Satoshi Nakamoto creator of Bitcoin. The Bitcoin
25 community, you know, they're very technical people

1 involved in cryptography. They would not believe a
2 statement like that without some other proof and there
3 was supposed to be -- I can't remember the date it was a
4 date in May where he was supposed to -- I am not exactly
5 sure what he was supposed to do. I think he was
6 supposed to either sign a transaction using private keys
7 from one of the early Bitcoin block chain blocks which
8 the Bitcoin community would recognize as only being held
9 or owned or accessible by Satoshi Nakamoto and he did
10 a -- I don't know if he was supposed to sign a
11 transaction or move a coin, I'm not entirely sure but
12 something using private key associated with one of the
13 first early Bitcoin blocks.

14 He did something but -- that the Bitcoin
15 community then quickly thought well, that's -- it's
16 using -- it wasn't using that private key of Satoshi.
17 It was using information he could have found publicly so
18 people thought well, he's just -- that doesn't prove he
19 is Satoshi.

20 Q. It's fair to say it was a pretty big issue at
21 the time, right?

22 A. Yes, very much. There was a lot of news about
23 both his claim coming forward saying I'm Satoshi and
24 then there was a lot of news that came when the proof --
25 proof, you know, session, proof providing not believed

1 by the Bitcoin community and I think he posted something
2 on the blog he had at the time saying I'm sorry.

3 Q. I saw you produced documents in response to
4 our subpoena so thank you for that. We just got through
5 them last night and I saw that you were involved in, you
6 know, PR campaigns to kind of correct that narrative and
7 kind of remediate the harm so to speak that had been
8 caused by the false procession?

9 A. I wouldn't describe it that way because I
10 joined --

11 Q. I didn't hear that. I apologize, can you
12 repeat that?

13 A. Sure. I would not -- the way you characterize
14 the question is not how I would characterize it. I
15 joined nChain after this attempt of proving Craig was
16 Satoshi and the PR work I was asked to oversee was more
17 focused on the launch of nChain publicly as a company
18 which would of course trigger a question of Craig he is
19 your chief scientist, is he really Satoshi why didn't he
20 fully prove he was Satoshi back then so this was an
21 element of it but that was not the main purpose of the
22 PR work I was asked to manage.

23 Q. You consider Craig to be a friend?

24 A. I do now. He is a colleague. We're
25 colleagues at first and eventually we became friends as

1 you often do with people you work with.

2 Q. Fair to call him your partner?

3 MR. RIVERO: Object to the form.

4 THE WITNESS: Not in any legal sense. We
5 don't have any business partnership arrangements
6 together and, you know, we work together in
7 building his vision of Bitcoin and the Bitcoin
8 ecosystem.

9 BY MR. FREEDMAN

10 Q. Do you understand whether or not this failed
11 proof session had an affect on Craig?

12 MR. RIVERO: Object to the form.

13 THE WITNESS: I don't know how to answer that.

14 BY MR. FREEDMAN

15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
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MR. FREEDMAN: I don't know why but my technology is glitching on me. We've been going for a while anyways. Why don't we take a five minute break, you can use the restroom and get a drink. I'll figure out my technical issues.

THE VIDEOGRAPHER: We are going off the record. The time is 1:06 p.m.

(Discussion held off the record.)

THE VIDEOGRAPHER: We are back on the video

1 record. The time is 1:13 p.m.

2 BY MR. FREEDMAN

3 Q. Mr. Nguyen, do you know what happened to the
4 deal that -- where Satoshi Nakamoto's life rights were
5 sold to Rob MacGregor? Strike that. Let me take a step
6 back actually.

7 Before the break you told me that there was a
8 Malta based firm that ended up buying Robert MacGregor's
9 interest out of the nChain related companies; right?

10 A. Bought the nChain companies.

11 Q. From Robert MacGregor's companies?

12 A. I would say he was the principal. As far as I
13 understood it of the nChain companies.

14 Q. So let's talk for a second about these
15 companies. So nChain Holdings Limited is the parent
16 company, right?

17 A. I don't think that's true any more. It was I
18 think at one time.

19 Q. Let's do before the Malta based purchase
20 nChain Holdings -- actually I wrote myself a little
21 chart here because it was hard to follow but I think I
22 got it to the point where the Workshop companies
23 Holdings, the Workshop Holdings was the ultimate parent
24 company and it owned nChain's Holdings formerly called
25 EITC Holdings. Is that consistent with your

1 recollection?

2 A. Yes, at one point in time. I will also
3 preface saying is I was not involved in the structuring
4 so I am answering based on just what I've seen in
5 documents after I started working for nChain.

6 Q. And then nChain Holdings eventually acquired
7 NT International Holdings and its five subsidiaries. Do
8 you recall that?

9 A. I was involved at the time in terms of the
10 transactions the process by which they got held by
11 nChain Holdings or what entities were held by them I
12 couldn't answer for you.

13 Q. I might be able to help you with that. I
14 think your document production helped me with it.

15 A. I know there are documents.

16 (Plaintiff's Exhibit No. 4 was
17 marked for identification.)

18 BY MR. FREEDMAN

19 Q. I think I can help you with that. I am going
20 to share with you I think we're now on Exhibit 4. It's
21 a document you produced to us yesterday Nguyen 424. Do
22 you recognize this as an e-mail from you to Jamie
23 Diaferia?

24 A. Yes.

25 Q. And on January 23rd 2017?

1 A. That's what it says.

2 Q. Do you want to take a moment to review the
3 e-mail and it appears -- I'll tell you I read it last
4 night and it is you conveying over to Mr. Deaferia who
5 works with a PR firm called Infinite Global the
6 structure of how the at the time nChain company was
7 structured and so it was very helpful to me in mapping
8 out the entities and I think this might refresh your
9 recollection. Do you want to take a moment to review
10 it?

11 A. Yes, I will. I generally remember. As you
12 can see it's a complex set of transactions.

13 Q. I can map it out. I have a sketch pad in
14 front of me to map it out. It seems to me that nChain
15 Holdings -- let's -- why don't we go in the order you've
16 laid out. NChain Holdings acquires the nTrust companies
17 through two different transactions and this is
18 accomplished by first having nTrust Tech Solutions sell
19 itself be purchased by NT International Holdings?

20 A. Yes, that's what it says.

21 Q. And then NT International Holdings then has
22 itself and six subsidiaries underneath it that of
23 various nCrypt nTrust companies and then nChain Holdings
24 purchases NT International Holdings and -- hold on, let
25 me find it. Sorry, so then purchases NT International

1 Holdings and it already owns nChain Limited and nChain
2 Technology Limited and nChain Labs Limited.

3 A. Here is what I would say. I wasn't involved
4 in the transactions that led to this structure. The
5 information that's contained in this e-mail was
6 summarized for me so that I could pass on to the PR
7 firm.

8 So I believe I would assume that the
9 information I summarized here is accurate because that's
10 what we were trying to communicate but I don't have
11 personal knowledge of all these transactions happening
12 in this way.

13 Q. Right. But at the time you were hired by the
14 company to manage their PR; right?

15 A. Correct. I don't have any reason to believe
16 this is incorrect. I just can't give you personal
17 knowledge about this is what happened.

18 Q. And then -- so at the end what ended up
19 happening was at the end of this transaction this
20 Pi-High Tech and PE Fund ends up purchasing three
21 different companies; nChain Limited, nChain Holdings and
22 NT International Holdings which basically sweeps all the
23 nChain and nTrust companies into its ownership; right?

24 A. In effect, yes.

25 Q. Who owns Pi-High Tech and PE Fund?

1 A. I didn't -- did not deal with the fund
2 directly much. As I understand it's an investment fund
3 so it doesn't really have owners, it has a fund manager
4 and then there's people who invest into the fund.

5 Q. Do you know who has invested into the fund and
6 who its investors are?

7 A. I do not.

8 Q. Have you ever -- I want to go back for a
9 second to Robert MacGregor have you ever texted or
10 messaged Robert MacGregor not through e-mail?

11 A. I think I've tried a couple of times but don't
12 think I ever had a response which --

13 Q. What about Stefan Matthews, have you ever
14 texted or messaged him not through e-mail?

15 A. Not through e-mail, yes.

16 Q. We did not have any text messages in your
17 production of documents. Did you collect them?

18 A. I did not have any text messages with any of
19 the people that were responsive to your request.

20 Q. Have you ever text messaged or otherwise
21 non-e-mail messaged Craig Wright?

22 A. Yes.

23 Q. Did you collect those and review them for
24 production?

25 A. I reviewed what text messages I have had with

1 Craig and they are not responsive to your request.

2 Q. So in 2015 there was a leak I think it's
3 described -- you know what, strike that. In 2015 Wired
4 and Gizmodo ran articles contending that Craig Wright
5 was Satoshi. Do you remember that?

6 A. I do.

7 Q. Were you involved in orchestrating that leak?

8 A. No.

9 Q. Do you know who was involved in orchestrating
10 that leak?

11 A. No.

12 Q. Do you know if anyone was involved -- let me
13 strike that. Do you know if that was an orchestrated
14 leak or if it was actually a leak?

15 A. I have no idea.

16 Q. So then we talked about this in May of 2016
17 there was a coordinated effort to out Craig as Satoshi
18 which ended up not being successful and he failed to
19 provide public proof. Did you talk -- do you recall
20 that?

21 A. I recall that happening, yes.

22 Q. Did you talk to -- were you involved in that
23 coming out?

24 A. Not directly. I knew it was happening.

25 Q. Did you talk to or e-mail Andrew O'Hagan about

1 this coming out?

2 A. No.

3 Q. Are you familiar with an article called The
4 Satoshi Affair?

5 A. Yes.

6 Q. Are you aware that in The Satoshi Affair
7 Andrew O'Hagan says that you e-mailed him?

8 A. I'm aware my name is referenced. I don't know
9 it's my e-mail though.

10 Q. Let's take a look at it. I'm sharing with you
11 docket entry 83-1 to the Second Amended Complaint. It
12 is a copy of Andrew O'Hagan's The Satoshi Affair. Let
13 me show you the title I successfully lost our place. I
14 think we're on page ten. Why don't you read from this
15 paragraph that starts with A in the middle of page nine
16 for the record?

17 A. I see it.

18 Q. Do you want me to go ahead and read that for
19 the record for us?

20 A. "A few weeks before the raid on Craig Wright's
21 house, when his name still hadn't ever been public
22 associated with Satoshi Nakamoto I got an e-mail from a
23 Los Angeles lawyer called Jimmy Nguyen from the firm
24 Davis, Wright & Tremaine (self described as a one stop
25 shop for companies in entertainment, technology,

1 advertising, sports and other industries). Nguyen told
2 me they were looking to contract me to write the life of
3 Satoshi Nakamoto. My client has acquired life story
4 rights dot dot dot from the true person behind the
5 pseudonym Satoshi Nakamoto the creator of the Bitcoin
6 protocol the lawyer wrote. Quote, the story will be in
7 brackets of, end of bracket, great interest to the
8 public and we expect the book project will generate
9 significant publicity and media coverage once Satoshi's
10 true identity is revealed" end quote.

11 Q. Does this refresh your recollection that you
12 did e-mail Andrew O'Hagan?

13 A. No. My memory is I e-mailed who I believe
14 Andrew O'Hagan's literary agent.

15 Q. I see. Suppose he didn't say you e-mailed him
16 directly he says I got an e-mail from a Los Angeles
17 lawyer not necessarily that he got directly from you.
18 Okay. Do you see that he -- I got a couple questions
19 here. He redacts out -- he replaces an ellipsis my
20 client has acquired life story rights dot dot dot from.
21 What did he remove?

22 A. I have no memory of that e-mail. That would
23 have been a number of years ago.

24 Q. Then he replaced the original quote with the
25 word of. Do you remember what it said previously?

1 A. No.

2 Q. Can you tell me how this occurred? How did
3 you come about e-mailing his literary agent?

4 A. Rob MacGregor asked me to help them find a
5 writer to write about the story of Satoshi Nakamoto
6 Craig Wright and so he asked me to reach out and see if
7 I could find a contact to Andrew O'Hagan.

8 Q. Was that the extent of your conversation
9 with -- about this issue that you just said -- sorry,
10 strike that. Did you follow up and ask him any details
11 about what was going on and who Satoshi was?

12 A. Ask who?

13 Q. I guess Robert MacGregor.

14 A. At this point I was already in discussions
15 with Mr. MacGregor about possibly working with nChain
16 but at this time I knew that he thought this was going
17 to be obviously a significant public interest in that he
18 was acquiring through one of the companies the life
19 story rights of Craig about Satoshi Nakamoto and he
20 thought it was going to be a great book.

21 Q. And you wrote -- in your e-mail you wrote he
22 had already acquired at this point. Is that what you
23 understood?

24 A. That's what I was told.

25 Q. You had no other insight into the plan other

1 than this?

2 A. I don't understand what you mean by the plan.

3 Q. The plan to come out and reveal the true
4 person behind the pseudonym Satoshi Nakamoto?

5 A. I am not sure if I had any understanding when
6 I sent that e-mail to Mr. O'Hagan's literary agent.

7 Q. Do you know what date you sent that e-mail to
8 him?

9 A. I don't remember.

10 Q. Throughout the documents you produced you make
11 references to something called Project Satoshi?

12 A. Yes.

13 Q. Can you tell me what that is?

14 A. It's just a name I think I gave to a project
15 that I was asked to work on.

16 MR. FREEDMAN: Just as a housekeeping matter
17 before we continue this line of questioning I want
18 to make sure we marked for the record The Satoshi
19 Affair as Exhibit 5.

20 (Plaintiff's Exhibit No. 5 was
21 marked for identification.)

22 BY MR. FREEDMAN

23 Q. So getting back what was the project that you
24 were asked to work on that you named the Satoshi --

25 A. In short it was to help with the process to --

1 how do I describe it? It changed over time. That's why
2 I'm trying to figure out how to describe it. Ultimately
3 what it became is to help guide the efforts to
4 commercialize and monetize intellectual property that
5 was going to be created at nChain.

6 Q. So did that project post date the failed
7 reveal in 2016?

8 A. I started talking about it before but it did
9 not happen until afterwards.

10 Q. Besides the e-mail to --

11 A. Correct. At the time I was not really part of
12 the project team. It was something I got asked to do,
13 you know, while I was a lawyer.

14 Q. Why do you think they asked you to do that if
15 it's not exactly legal advice to contact a literary
16 agent?

17 A. Because I have a lot of connections and both
18 client and business relationships in the entertainment
19 media world in the United States.

20 (Plaintiff's Exhibit No. 6 was
21 marked for identification.)

22 BY MR. FREEDMAN

23 Q. Got it. And then let's introduce I think
24 we're on Exhibit 6 now which is Nguyen 229 and it
25 appears to me to be an e-mail from you to Robert

1 MacGregor on -- let me take that back. It appears to be
2 an e-mail chain between you and Robert MacGregor
3 starting on May 1st you responding on May 2 and him
4 respond -- you responding again on May 5th. Is that
5 consistent with your observations?

6 A. Yes, that's what it says.

7 Q. Do you recall this e-mail?

8 A. Yes.

9 Q. Did you send this e-mail?

10 A. I sent two of the e-mails on this chain.

11 Q. Did you receive the first one on the bottom?

12 A. Yes.

13 Q. So Robert MacGregor tells you that the embargo
14 will lift and the news will break in 50 minutes. Then
15 the next day you say "I see the online articles. How
16 has reaction been in your world." At this point did you
17 know there was a failure?

18 A. A failure of what?

19 Q. At this point had it blown up essentially that
20 Craig had not actually produced valid proof?

21 A. I don't think that happened by May 2nd. I
22 don't remember if it was -- it was certainly by May 5th
23 when I sent the top e-mail. I don't remember what date
24 it was between the May 1st and May 5th sequence.

25 Q. Got it. And I don't have a response from

1 Robert MacGregor to this e-mail. Did he call you in
2 response to your e-mail?

3 A. (Indicating).

4 Q. No, he did not?

5 A. No.

6 Q. So you just never got a response to that?

7 A. No.

8 Q. Were you not -- I mean you then proceeded to
9 engage in Project Satoshi which was premised on this IP
10 that partly was Craig and -- it seems odd you wouldn't
11 inquire about what happened?

12 A. I did not hear from Rob for a long time after
13 this. Eventually I think I reached out to his
14 assistant.

15 Q. When that happened and you got back in touch
16 with Rob did you discuss this?

17 A. Discuss what?

18 Q. This failure and this debacle of May of 2016?

19 A. I wouldn't call it a debacle but we did
20 discuss or -- I had not heard from him after Craig did
21 not provide the cryptographic proof that the Bitcoin
22 community would like to see. So we did eventually
23 discuss it.

24 Q. What did he say?

25 A. He said it's a really long story so I didn't

1 get the whole story. He said, you know, Craig didn't
2 sign using a private key that the Bitcoin world would
3 accept as from a Satoshi block and he was very angry and
4 very upset.

5 Q. Did he say why?

6 A. Rob?

7 Q. Yes.

8 A. That's what we expected Craig to do.

9 Q. That was a bad question. Did he say why Craig
10 didn't sign using a private key the Satoshi blocks?

11 A. No.

12 Q. You were a partner at a top law firm in the
13 country; right at Davis, Wright & Tremaine?

14 A. Yes.

15 Q. And you left that position to work on the
16 Satoshi Project and further nChain, right?

17 A. Yes.

18 Q. Don't you think the responsible thing would
19 have been to kind of dig into that a little bit more
20 before you gave up something so great for this new
21 venture you were betting on?

22 A. Not necessarily. I had been wanting to leave
23 law for many years before this.

24 Q. So you -- it's your testimony today that you
25 did not push for what happened and why there was a

1 failure?

2 A. Well, I asked questions but I don't think even
3 Rob could even tell me why Craig didn't do it.

4 Q. Did you ever Craig why he didn't do it?

5 A. No.

6 Q. Did you ever ask -- have you ever asked Craig
7 to give you a private proof session?

8 A. Sorry, you cut off.

9 Q. Have you ever -- can you hear me now?

10 A. Yes.

11 Q. Have you ever asked Craig to give you a
12 private proof session?

13 A. No.

14 Q. Why not?

15 A. Because I knew he would if I asked him to and
16 I made a decision including before I decided to sign on
17 to nChain and leave my law practice that I wasn't doing
18 it based upon Craig having to be Satoshi Nakamoto. That
19 I wasn't -- that that was certainly relevant to
20 everything, right, but since there's all this
21 controversy over whether he is or he isn't and how could
22 it be proven, you know, either way I had to make a
23 decision am I going to join this opportunity based upon
24 that and could be left disappointed if it turned out not
25 to be true so decided for myself while it certainly is

1 relevant that the technology that can be built and his
2 vision for it is powerful and that I needed to focus on
3 that because otherwise you can drive yourself crazy with
4 is he or isn't he Satoshi and it's also what I said
5 publicly not what I asked. So I did ask questions about
6 it but I didn't make my decision to join nChain based
7 upon it.

8 Q. How do you know he would show it to you if you
9 asked him to?

10 A. I've had this discussion with Steve Shadders,
11 the chief technology officer at nChain, and Steve has
12 said to me we're pretty confident Craig would do it if
13 we asked because, you know, Craig doesn't trust very
14 many people so we work together a lot. I have never
15 asked him the question flat out so I don't know
16 100 percent he would say yes but I think he would.

17 Q. How would he have access to the private keys
18 if they are -- let me take a step back. Are you aware
19 that Craig has claimed the properties are locked in a
20 trust?

21 MR. RIVERO: Sorry, you cut out and I could
22 not hear that question.

23 BY MR. FREEDMAN

24 Q. Are you aware that Craig has claimed the
25 private keys to his Bitcoin are locked in a trust that

1 he cannot access?

2 MR. RIVERO: Object to the form.

3 THE WITNESS: I'm aware that he's claimed -- I
4 can't -- I am aware that in this case he's claimed
5 that he cannot access private keys to certain
6 Bitcoin and so yes, I'm aware of that.

7 BY MR. FREEDMAN

8 Q. And how then would he demonstrate a proof for
9 you if you asked him to?

10 A. Well --

11 MR. RIVERO: Object to the form. Go ahead.
12 Sorry, Mr. Nguyen.

13 THE WITNESS: Probably why I've never asked
14 him.

15 BY MR. FREEDMAN

16 Q. Has Craig ever explained the trust to you?

17 A. Only in the context of this litigation.

18 Q. What has he said?

19 MR. SILVERGLATE: Wait a second. If it's in
20 the context of the litigation then it's privileged.

21 MR. FREEDMAN: Mr. Nguyen testified he has not
22 acted as a lawyer since late 2018 or 2017 I think
23 it is. I don't have the date.

24 MR. SILVERGLATE: Well --

25 MR. RIVERO: I'll join the objection and the

1 instruction.

2 MR. FREEDMAN: Actually I will actually say
3 that in this deposition Mr. Nguyen testified that
4 he is not a lawyer for Craig Wright.

5 MR. SILVERGLATE: Right. I'm not suggesting
6 that he is a lawyer for Craig Wright. What I am
7 saying is that Mr. Nguyen has a joint interest
8 agreement with Craig Wright and he has also served
9 as Craig Wright's liaison to his counsel in the
10 litigation.

11 So he's part of the litigation team even
12 though he is not serving as a lawyer but a liaison.
13 So the conversation that you're inquiring about is
14 privileged both under the joint interest privilege
15 and under the attorney-client privilege.

16 MR. FREEDMAN: What is the joint interest that
17 you're protecting?

18 MR. SILVERGLATE: They both have a community
19 of interest and they have a signed agreement.

20 MR. FREEDMAN: A signed agreement can't extend
21 the privilege, it just memorializes an existing
22 privilege under existing law. I just want to -- I
23 understand you're instructing him not to answer and
24 I can't do anything about that but I need a record
25 of it so we can challenge it eventually. What is

1 the joint interest that you are memorializing with
2 the joint common interest privilege?

3 MR. SILVERGLATE: Well, I believe you're
4 misstating what my objection was. So first of all,
5 I'm asserting two privileges. One is
6 attorney-client privilege because Mr. Nguyen is on
7 the team. He is on the defense team, Mr. Wright's
8 defense team, okay and because of that there is
9 also a community of interest which implicates the
10 joint interest agreement and joint interest
11 privilege.

12 MR. FREEDMAN: What is Mr. Nguyen's capacity
13 on the -- I'll direct this to Mr. Nguyen and
14 obviously you can instruct him not to answer so I
15 don't need to tell you Mr. Nguyen take a second to
16 allow your lawyer to give an instruction team.
17 What is your capacity on the defense team?

18 MR. SILVERGLATE: You can answer that, Jimmy.

19 THE WITNESS: When the lawsuit first got filed
20 Craig asked me to assist him in both finding
21 counsel and helping to communicate with counsel
22 regarding his defense.

23 MR. RIVERO: And I haven't interrupted the
24 question but Mr. Nguyen, obviously you have a
25 lawyer but I just ask you to be careful since there

1 are dates where you were counsel to nChain, dates
2 where there was this common interest.

3 Please refrain from testifying about anything
4 that would invade those privileges and I'll just
5 join as necessary, stay out of it.

6 BY MR. FREEDMAN

7 Q. So you are not a lawyer on the defense team,
8 you are not providing legal advice; is that correct?

9 A. Correct. Basically how I would describe it is
10 I am his liaison with his lawyers because to help with
11 communication Craig is a difficult communicator on what
12 are complex topics here and he felt that he asked me to
13 do this because to help him because of the need to
14 communicate with his lawyers especially about dealing
15 with complex issues in this case.

16 MR. FREEDMAN: Okay, so as I understand this
17 is directed to the lawyers you're asserting --
18 Mr. Rivero, you're asserting Craig's
19 attorney-client privilege through you because
20 Mr. Nguyen is the go between between you and the
21 client, is that an accurate assertion of your
22 privilege?

23 MR. RIVERO: Can I hear the last question read
24 back? Sorry, the last question where these
25 objections were actually posed? It was probably a

1 couple questions ago.

2 (Thereupon, a portion of the record
3 was read back by the reporter.)

4 MR. RIVERO: I am asserting on behalf of Craig
5 Wright his common interest privilege with
6 Mr. Nguyen.

7 MR. FREEDMAN: What is the common interest
8 that's seeking to be protected?

9 MR. RIVERO: I've now answered your question.
10 Please ask your next question. Let's move on.

11 MR. FREEDMAN: You're not answering what is
12 the common interest question for the record?

13 MR. RIVERO: Sir, I've made an instruction.
14 Your -- my role is to state an objection or
15 instruction. I think your role is to ask the next
16 question. I think that's what you should do next.

17 MR. FREEDMAN: You are declining to answer my
18 question, Mr. Rivero?

19 MR. RIVERO: Sir, if you want to have a good
20 faith conference about this, sir, I've already told
21 you you can speak to me and I'll be glad to discuss
22 it. We don't have to do it on the record, you know
23 that. We already discussed this week so please
24 move on to your next question.

25 MR. FREEDMAN: Mr. Rivero, respectfully your

1 client's breaches of protective orders or maybe at
2 this point alleged or perceived breaches of
3 protective order don't relate to this particular
4 instance here.

5 Mr. Rivero, you need to let me finish my
6 statement and then I'll give you an opportunity to
7 respond.

8 MR. RIVERO: I didn't know you weren't
9 finished. Go ahead.

10 MR. FREEDMAN: I am simply trying to make a
11 record here so when we go back to the Court here we
12 have a clear record of what your position is and I
13 know what's happening. So I'm only asking what is
14 the joint interest you're seeking to protect?

15 MR. RIVERO: Mr. Freedman, it does not work
16 like that. We make objections and instructions.
17 We don't litigate the objections or instructions.
18 Go ahead and ask your next question. If you want
19 to discuss this after this deposition is over I'll
20 be glad to. That's a good faith conference, sir.

21 At that time you'll identify to me what your
22 theory is why you get this answer. Then I'll
23 respond to you in a good faith conference. That's
24 how it works. Go ahead, continue with your
25 deposition.

1 MR. FREEDMAN: We'll agree to disagree on how
2 it works. Mr. Silverglate, are you also asserting
3 a privilege to prevent the answer to this question
4 or is it identical to the privilege that's been
5 asserted by Mr. Rivero?

6 MR. SILVERGLATE: I think I've already voiced
7 my objection. It's we've raised two objections,
8 attorney-client privilege and joint interest
9 agreement and we're making both of those
10 objections. I'm making them on behalf of this
11 witness, Mr. Nguyen.

12 MR. FREEDMAN: Okay, whose attorney-client
13 privilege are you invoking?

14 MR. SILVERGLATE: For this particular question
15 we're invoking Mr. Wright's attorney-client
16 privilege because Mr. Nguyen is on his defense
17 team.

18 BY MR. FREEDMAN

19 Q. Okay. Mr. Nguyen, when did you start in your
20 role as a liaison?

21 A. When the lawsuit got filed.

22 Q. Are you still in a role as a liaison?

23 A. Yes.

24 Q. Is there an agreement memorializing your
25 liaison, a written agreement memorializing this liaison

1 agreement?

2 A. No, there is not a written agreement. There
3 is an e-mail.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 BY MR. FREEDMAN

18 Q. I'm going to share with you, Mr. Nguyen, a
19 document that you have shared with us pursuant to the
20 subpoena. I'm going to go to the top of this agreement
21 so you can see it's Schedule A. Why don't we go to the
22 top of the actual agreement itself and then we can look
23 at all of it. It looks like it starts at approximately
24 Nguyen 1586. Do you recognize this Contracted Services
25 Agreement?

1 A. Yes.

2 Q. That's your signature at the bottom?

3 A. Yes.

4 Q. Mr. Matthew's signature at the bottom?

5 A. Yes.

6 Q. This is the actual Contracted Services
7 Agreement and its terms. Do you recognize this?

8 A. Yes.

9 Q. I'm going to scroll down. At any point you
10 want me to stop let me know. This is Schedule A;
11 correct? Is this the Schedule A of that agreement,
12 Mr. Nguyen?

13 A. Yes.

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

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20 Q. Did you tell me when this agreement
21 terminated?

22 A. I can't remember exact time.

23 Q. The agreement continues until Nguyen 1597;
24 correct?

25 A. Correct.

1 Q. Mr. Nguyen, do you act as a liaison for anyone
2 else between them and their lawyers besides Craig
3 Wright?

4 A. No.

5 Q. Has your liaison role in this litigation been
6 continuous?

7 A. Yes.

8 Q. Were you acting as a liaison then to Rivero,
9 Mestre while we were attempting to serve process on you?

10 MR. SILVERGLATE: Object to the form.

11 MR. RIVERO: Join.

12 THE WITNESS: I was acting as a liaison to
13 Craig.

14 BY MR. FREEDMAN

15 Q. Between him and Rivero, Mestre?

16 A. Yes.

17 Q. Has Rivero, Mestre hired you or has Craig
18 engaged you in this task?

19 MR. RIVERO: Object to the form.

20 THE WITNESS: Craig.

21 BY MR. FREEDMAN

22 Q. Does he pay you for this?

23 A. No.

24 Q. Can you walk me through without talking about
25 I'm sure your lawyers will make sure so just make a beat

1 again but I think this is a permissible question. Can
2 you walk me through not the substance but the mechanics
3 of how the liaisioning goes between you and Craig and his
4 lawyers?

5 MR. SILVERGLATE: Obviously I'll object if
6 it -- if you're asking for specific communications.

7 MR. RIVERO: Mr. Nguyen, I know you know this
8 but there are occasions where the procedure could
9 reveal confidences so answer to the extent you can
10 without revealing confidences.

11 THE WITNESS: So just procedurally it began
12 with me being the person to help find Craig counsel
13 to represent him. So I am the one that sought out
14 law firm options and helped Craig choose the
15 Rivero, Mestre firm which represents Craig, not me.

16 And then after that I was involved in
17 communications to -- between Craig and his lawyers
18 about subject matter in the case, helping
19 understand things and helping understand Craig I
20 guess most importantly because he is a difficult
21 communicator.

22 BY MR. FREEDMAN

23 Q. So is the procedure Craig calls you and you
24 call Rivero, Mestre or is it procedure you all get on a
25 call together or how does it work?

1 MR. SILVERGLATE: Hang on. Andres, do you
2 feel like that implicates your strategy, your
3 defense strategy?

4 MR. RIVERO: From my perspective I would allow
5 that question but Mr. Nguyen, you're on thin ice of
6 the whole situation but you can answer the
7 question.

8 THE WITNESS: I would say it varied. There
9 were times where sometimes Craig asked me to deal
10 with his lawyers about a particular topic.
11 Sometimes they asked me to interface with Craig on
12 a topic. Sometimes it was all joint.

13 BY MR. FREEDMAN

14 Q. Are these via e-mail? So are there e-mail
15 communications from you to Craig and then without his
16 lawyers -- let's start there. Are there e-mail
17 communications about litigation from you to Craig that
18 his lawyers are not on?

19 A. I don't remember.

20 Q. Are there e-mail communications between you
21 and Rivero, Mestre that Craig is not on?

22 A. I think so.

23 Q. Sorry?

24 A. I think so.

25 Q. Are there e-mails from Rivero, Mestre to Craig

1 and from Craig to Rivero, Mestre that you are on as
2 well?

3 A. I have been on joint e-mails among them. That
4 was the most common.

5 Q. Do you have a stake in this litigation
6 Mr. Nguyen?

7 A. No.

8 Q. Can you be adversely affected by the outcome
9 of this litigation?

10 A. I don't think so, no.

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Q. Okay. So is there a document that formally

1 terminates this agreement?

2 A. I'm not sure.

3 Q. Do you have any time -- do you have any
4 document that terminates this agreement formally?

5 A. Not that one. I think as I said I think there
6 was an updated one.

7 Q. I want to -- sorry, going to jump you back to
8 the liaison role. I want to understand the bookends. I
9 know the current bookend is in effect meaning you're
10 still acting in that role. I want to go back what is
11 the date that role started?

12 A. I don't remember the exact date. It was after
13 Craig got -- after the lawsuit was filed. I don't
14 remember if it was before or after he got served with
15 the lawsuit.

16 Q. It's been -- I guess the first time -- would
17 it be fair the first time Craig reached out to you about
18 the lawsuit you immediately started in that liaison
19 role?

20 A. Yes.

21 Q. It was sometime around the filing of the
22 lawsuit?

23 A. Correct.

24 Q. Do you maintain any equity at all in nChain?

25 A. No.

1 Q. Do you have any financial interest that is in
2 any way connected to nChain?

3 A. No.

4 Q. Do you have any financial interest in Pi-High
5 Tech and PE Fund?

6 A. No.

7 Q. Who is Arthur Davis?

8 A. Arthur Davis is a firm called Nuovo Capital
9 and he was brought on to help with the transaction.

10 Q. What does Nuovo Capital do?

11 A. I'm not certain. Similar services from that
12 transaction they acted as financial advisor.

13 Q. Does Nuovo Capital still maintain an active
14 interest in nChain companies, in the nChain companies?

15 A. I don't know what you mean by active interest.
16 They don't do any work for nChain companies that I know
17 about.

18 Q. Do they have any equity in nChain?

19 A. Not that I know of.

20 Q. Do they have any equity in Hi-tech Private
21 Equity Fund?

22 A. Not that I know of.

23 Q. Do you know whether Calvin Ayre has invested
24 in Hi-Tech Private Equity Fund?

25 A. Not that I know of.

1 (Plaintiff's Exhibit No. 8 was
2 marked for identification.)

3 BY MR. FREEDMAN

4 Q. Mr. Nguyen, you produced a document to us I am
5 going to share it on the screen with you. It is Nguyen
6 4 and I think we're on Exhibit 8 and in this e-mail
7 Arthur Davis is e-mailing you and Stefan Matthews on
8 February 14th 2017 at 5:33 p.m.; correct?

9 A. That's what it says.

10 Q. Then he opens the e-mail saying "Stefan, you
11 and are completely agreement to focus 100 percent of
12 closing the transaction." Is this transaction the
13 acquisition of nChain's companies by Hi-Tech Private
14 Equity Fund?

15 A. I assume that's what he was referring to.

16 Q. Mr. Nguyen, did you review all the documents
17 you produced to us before they were produced?

18 A. Yes. I tried to. I tried to review them,
19 yes.

20 Q. They were collected from your computers?

21 A. Correct.

22 Q. They are accurate records of what was located
23 on your computers?

24 A. Yes.

25 Q. Who is Marco Bianchi?

1 A. Marco it's Bianchi I think is how the name is
2 pronounced.

3 Q. Thank you.

4 A. He is principal at a firm called Stairway
5 Global some other words. Just call it Stairway Global.

6 Q. What was his involvement with the -- what was
7 his involvement with this transaction?

8 A. Marco is a director of some of the nChain
9 companies.

10 Q. Do you know why?

11 A. No, I don't. He was before I got involved.

12 Q. Do you know what his role was with any of the
13 nChain companies?

14 A. Like I said he is director of some of the
15 companies so he is one of the directors that I would
16 report to.

17 Q. Does Craig Wright have any equity in nChain?

18 A. Not that I know of.

19 Q. Does Ramona Watts have any equity in nChain?

20 A. I can tell you what I know as of the time I
21 was CEO and the answer to both of those questions is no.

22 Q. Did they ever have equity in any nChain
23 companies?

24 A. Not that I know of.

25 Q. What about Hi-Tech Private Equity Fund?

1 A. No.

2 Q. What about the Workshop Holdings?

3 A. Not that I know of.

4 Q. What about Nuovo Capital?

5 A. I don't know anything about the ownership
6 structure of Nuovo Capital.

7 Q. Are you familiar with the company called
8 Squire Mining?

9 A. Yes.

10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

17 Q. Are you on the -- I apologize. Hold on, give
18 me one second. Nevermind. Are you -- do you have a
19 position in Squire Mining?

20 A. I was one of its advisory board members until
21 last month.

22 Q. Was that a paid position?

23 A. I have to look at the stock option.

24 Q. Why did you step away from the advisory board?

25 A. I stepped away because my new role as Bitcoin

1 Association president I'm responsible for, you know,
2 being a leader in the building of the whole business
3 ecosystem for Bitcoin SV around the world. There were
4 concerns about whether in that role I would be perceived
5 to have conflicts of interest if I also had roles with
6 other key companies in the Bitcoin SV space and so I
7 resigned from that advisory board position as well as
8 some others.

9 Q. Does Calvin Ayre own any interest in TAAL?

10 A. He is a shareholder.

11 Q. Do you know what percent his shareholding is?

12 A. I don't know.

13 Q. Does Craig Wright have any equity interest in
14 TAAL?

15 A. I do not know that.

16 Q. As the president of the Bitcoin Association --
17 sorry, you are the president of the Bitcoin Association?

18 A. Yes.

19 Q. Is that position paid?

20 A. Yes.

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

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Q. Do you currently have any other jobs or is

24

that your full time position?

25

A. This is it. Full time. More than a full time

1 job.

2 Q. Is there a difference between the Bitcoin
3 Association and the B Com Association?

4 A. It's the same thing. We rebranded the name B
5 Com to Bitcoin Association.

6 Q. Do you know what Calais Holdings is?

7 A. No.

8 Q. Have you ever heard of Calais Holdings?

9 A. Don't think so.

10 Q. Have you ever heard of the Sterling Group?

11 A. I've heard of Sterling. I don't know that
12 I've ever heard it referred to as Sterling Group.

13 Q. What is Sterling?

14 A. I'm not sure.

15 Q. Do you know anything about it other than that
16 you've heard of it?

17 A. I've heard of it. I've seen it somewhere. I
18 don't know. About it.

19 Q. Before you left nChain as CEO was it making
20 any revenue?

21 A. Very little.

22 Q. About how much?

23 A. I don't recall. I only know of -- I think it
24 had received about 500,000 I don't know if it was
25 British pounds in revenue from a source before you left.

1 Q. That was for licensing of technology?

2 A. It was for under an agreement to help another
3 company build a more secure Bitcoin wallet.

4 Q. Could you explain to me what nChain's purpose
5 was?

6 A. Not sure I know how to answer that question.

7 Q. Like every company has like a goal or mission
8 statement. What was nChain's?

9 A. At what point in time?

10 Q. Why don't you start from when you joined until
11 you left if it ever changed let me know.

12 A. That's a difficult question to answer because
13 when I first joined nChain I think the mission was not
14 that clear. That was part of my task trying to help
15 bring clarity to it. When I joined nChain it was set up
16 to research and development work, build an IP program,
17 to basically based upon Bitcoin block chain technology.
18 What to do with that next became less clear. I would
19 say today from what I understand of nChain that it's
20 more clearly focused on enterprise level solutions and
21 services that want to provide the enterprises to build
22 block chain technology innovations and particular now
23 focus on Bitcoin SV chain as the scalable big block
24 Bitcoin which did not exist when I first joined nChain.

25 There was no split of the Bitcoin chain over

1 time. That's why the purpose of nChain has evolved over
2 time given what's in the Bitcoin network.

3 Q. So would it be fair to say when you were first
4 brought on board nChain it was sitting on this massive
5 pot of intellectual property it had a required from the
6 DeMorgan Group and you were tasked with essentially
7 commercializing that asset?

8 A. I would not describe it that way.

9 Q. How would you describe it?

10 A. First I would not say that nChain was sitting
11 on this pot of IP from the DeMorgan Group that could be
12 monetized.

13 Q. Well, had -- why don't we break that down into
14 it parts. Had nChain acquired -- when you were brought
15 on board did you believe that nChain had been
16 acquired -- sorry, let me restart that question. Strike
17 that.

18 When you were brought on board to nChain did
19 you understand and believe that nChain had acquired
20 significant intellectual property assets from the
21 DeMorgan Group?

22 A. I would say I knew they acquired assets from
23 the DeMorgan Group. I could not say they were
24 significant IP assets.

25 Q. So then your task was to review those

1 intellectual property assets and determine how to
2 commercialize them?

3 A. No.

4 Q. What was your task?

5 A. My task was to get involved with the new IP
6 program that nChain was developing and figuring out how
7 to commercial those new IP assets in the nChain
8 agreement.

9 Q. So then you had absolutely nothing to do with
10 intellectual property that was acquired from the
11 DeMorgan Group?

12 A. I just answered no. I don't know what you
13 mean by nothing to do with intellectual property
14 acquired from the DeMorgan Group.

15 Q. Well, if nChain -- is it your testimony that
16 nChain did not develop any intellectual that it obtained
17 from the DeMorgan Group?

18 A. I can't answer that question because I never
19 reviewed in detail the assets that were acquired from
20 DeMorgan.

21 Q. Do you know how much money Rob MacGregor paid
22 to purchase those assets from the DeMorgan Group?

23 A. No.

24 Q. Did you ever get the intellectual property
25 from -- that was purchased from The DeMorgan Group

1 valuated or appraised?

2 A. From the DeMorgan Group?

3 Q. "Uh-uh." So you never got an evaluation of
4 intellectual property assets nChain had acquired from
5 The DeMorgan Group?

6 A. I was not involved in The DeMorgan Group
7 transaction. So I was not involved.

8 Q. I'm not talking about the time of the
9 transaction. I'm saying at some point in time you
10 became the CEO of nChain and even before that you were
11 tasked with commercializing nChain's IP and I am trying
12 to figure out whether or not you have ever and I think I
13 know the answer to this because I think I've seen copies
14 of it whether you had ever obtained or reviewed an
15 appraisal of the intellectual property that resulted
16 from -- that was obtained from The DeMorgan Group?

17 A. So the way you phrased the question. So I
18 have never tried to get a valuation or analysis of the
19 IP -- the value of the IP assets from the DeMorgan Group
20 of companies. I have been involved with looking at
21 valuation of nChain's IP assets which were newly created
22 after the DeMorgan transaction.

23 Q. Did the assets that you had evaluated at
24 nChain include assets that had been received from the
25 DeMorgan Group?

1 A. I'll tell you what was valuated was looking at
2 the patent program that was being developed at nChain
3 which did not start until after the DeMorgan Group
4 transaction.

5 Q. Were any of the patents that were in the
6 patent portfolio of nChain focused on intellectual
7 property obtained from the DeMorgan Group?

8 A. I don't know.

9 Q. Never looked at that as CEO of the company and
10 former IP lawyer?

11 A. First of all, the patent program was started
12 before I got to nChain and was going. That's just a
13 difficult question to answer anyway.

14 Q. Why?

15 A. Well, you have to look at each individual
16 patent application and go back and compare it to
17 anything the DeMorgan Group had done to be able to
18 answer that question.

19 Q. You never conducted that analysis?

20 A. No.

21 Q. Are you aware of whether or not lawyers have
22 opined on whether -- where certain intellectual
23 property -- strike that. Are you aware of whether
24 lawyers have opined on whether or not certain IP or
25 intellectual property currently owned by nChain was

1 sourced from DeMorgan?

2 A. I don't know that one can answer that without
3 getting into questions. Not even about this litigation,
4 about -- I can't remember if it violates the legal
5 advice I ever gave in my role.

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 A. Oh, sorry, I thought you said Rob MacGregor.
2 When did I first meet Craig Wright, 2016.

3 Q. Do you remember when in 2016?

4 A. I believe it was in September.

5 Q. Do you remember the circumstances of that
6 meeting?

7 A. Yes. After I -- it was clear I don't know if
8 I had signed the contract yet but after it was clear I
9 was going to start working with nChain I went to London
10 for some meetings and Stefan introduced me to Craig.

11 Q. Do you remember what you talked about in that
12 initial conversation with Craig?

13 A. We had dinner and I don't have any memory of
14 what we talked about other than trying to get to know
15 each other.

16 Q. Did Craig ever mention Satoshi Nakamoto to
17 you?

18 A. I guess I don't know how to answer that. Had
19 he ever used that phrase Satoshi Nakamoto with me?

20 Q. I'm trying to figure out. Let me take a step
21 back. You were aware before meeting him he claimed to
22 be Satoshi Nakamoto?

23 A. Yes.

24 Q. Who told you initially that they believed he
25 was Satoshi Nakamoto?

1 A. Rob MacGregor.

2 Q. When was that?

3 A. The year before this so sometime in the summer
4 of 2015.

5 Q. Did you ask Rob MacGregor how he knew that,
6 why he knew that, what his proof was?

7 A. I didn't ask him all those questions. We had
8 a conversation about it.

9 Q. What did he say?

10 A. He said I think I found Satoshi Nakamoto.

11 Q. You knew who that was at the time?

12 A. The name didn't immediately trigger my memory.
13 I had seen the name in the past about Bitcoin but my
14 first response was who. He said you know, the creator
15 of Bitcoin. I said oh, yes, that's right.

16 Q. And then in September of 2016 you come to
17 meet -- let me take a step back. Going to meet Craig in
18 September 2016 did you have an opinion one way or
19 another whether he was or was not Satoshi Nakamoto?

20 A. No.

21 Q. So you come to meet the individual who is
22 claiming to be Satoshi Nakamoto who your long time
23 client thought was Satoshi and trying to figure out
24 whether -- so you're Satoshi Nakamoto how did that work?

25 A. Not in that first time I met him.

1 Q. Do you remember the first time you had a
2 discussion with Craig about him -- his Satoshi-ness?

3 A. It wasn't for a long time after that.

4 Q. Do you remember the context of that setting?

5 A. No, I don't. I mean it's obviously a topic
6 that comes up a lot in my world with lots of people so I
7 don't remember the first time I spoke with Craig about
8 it.

9 Q. I would imagine something you kind of needed
10 to know about because you were taking a leading role in
11 nChain or like it or not it was a big feature of nChain;
12 right?

13 A. The answer to that is I needed to know about
14 it but I didn't need to know for myself as I explained
15 earlier. I made a decision personally that I would be
16 willing to do this opportunity whether it was true or
17 not.

18 Q. When you eventually got on to the topic of
19 Craig being Satoshi Nakamoto what did he say?

20 A. I'm trying to remember how the first time I
21 even talked to him about it.

22 Q. I mean would say tell me the story, did you
23 never say tell me your story?

24 A. I know you might think I would but you know
25 it's a sensitive topic. Obviously specially after that

1 year with the potential reveal and I at the time thought
2 you know what, I'm not going to ask about it now.

3 Q. That's fair. So when eventually he got to
4 know you well enough and you got to know him well enough
5 when it came up what did he say?

6 A. Not really how it happened. It's not like one
7 day I asked tell me whether you're Satoshi or not. It
8 was part of general conversations and communications we
9 had at the company about him being Satoshi.

10 Q. Tell me what you remember him telling you.
11 Like tell me the narrative he told you.

12 A. I don't think I -- he's told me a number of
13 times he is Satoshi Nakamoto, the creator of Bitcoin. I
14 don't think he ever -- he told me any details about the
15 story until gosh it might have been in maybe in 2018 we
16 did like an interview at one of the Coin Geek
17 conferences, G-E-E-K, conferences where he was going to
18 talk about it for the first time publicly with me and I
19 think that's the first time I went into any detail with
20 him about the story.

21 Q. What did he tell you in that preparation
22 session?

23 A. It wasn't a preparation session.

24 Q. So you took -- let me ask it. Did you not
25 prepare for that interview?

1 A. I came up with some sample questions and sent
2 them to him. We did not -- I sent him a list of sample
3 questions to make sure he was comfortable talking about
4 them but we did not meet or rehearse or go over any of
5 them beyond him saying I'm comfortable answering these
6 questions.

7 Q. And until that Coin Geek conference you never
8 discussed him becoming Satoshi or being Satoshi?

9 A. I can't say we never discussed it. I just
10 don't have any memory of the conversation where we went
11 into any detail about the story of, you know, how he
12 created Bitcoin or why. I think little bits of it would
13 come out in regular communication such as when -- it
14 became more of a work function.

15 For example, when we would talk about why does
16 nChain need support, you know, the big block position in
17 Bitcoin why is it so important that we oppose this thing
18 at this time called Segregated Witness that the Bitcoin
19 core people were going to add to Bitcoin which we
20 thought was going to change Bitcoin and not make it no
21 longer Bitcoin and be detrimental.

22 The topic of -- would come up where he would
23 say well, that would change what I created. That's no
24 longer a Bitcoin and he might sometimes talk about
25 things he did at the beginning and why certain parts of

1 the technical design of Bitcoin are there. It came up
2 more in that context as -- than going through all the
3 details.

4 Q. Did he ever talk about -- when he was talking
5 to you about the things he did at the beginning of
6 Bitcoin did he discuss specifics of what he did?

7 A. Not really until that interview I did of him
8 at Coin Geek Toronto.

9 Q. Prior to that Coin Geek interview in Toronto
10 did Craig ever mention Dave Kleiman?

11 A. I think I heard the name before but I didn't
12 know that much about their relationship.

13 Q. Did you ever ask Craig whether he was Satoshi
14 alone or whether there was a team of people involved?

15 A. I didn't ask it that way.

16 Q. How did you ask it?

17 A. I think I asked him if he had help.

18 Q. What did he answer?

19 A. He said "I was the primary creator but some
20 people helped me."

21 Q. Did you ask him who?

22 A. I don't remember if I did at the time.

23 Q. Did you ever ask him how they helped?

24 A. I don't remember.

25 Q. Were you involved in preparing Craig for any

1 of the media prep sessions that led up to his 2016
2 reveal?

3 A. No.

4 Q. Are you aware that there were media prep
5 sessions?

6 A. I am aware now.

7 Q. Did you ever review any of the transcripts
8 that were taken during those media prep sessions?

9 A. No.

10 Q. I'll represent to you that in those
11 transcripts Craig gives a lot of credit to Dave Kleiman
12 for --

13 MR. RIVERO: Sorry?

14 BY MR. FREEDMAN

15 Q. A lot of credit to Dave Kleiman for helping
16 him create Bitcoin and I am surprised to hear that you
17 don't recall hearing Dave Kleiman's name prior to that
18 date although you said you recall hearing it but not
19 prominently. So I guess my question is can you think
20 hard and recall what it was he said about Dave Kleiman
21 that causes you to remember the name?

22 MR. RIVERO: Objection to the form.

23 THE WITNESS: That's a hard -- I don't even
24 know how to answer that question. I'm not sure I
25 even heard of Dave Kleiman first from Craig.

1 BY MR. FREEDMAN

2 Q. Did you ever hear about Dave Kleiman from
3 Craig?

4 A. From Craig?

5 Q. Yes.

6 A. Yes, at different points in time, yes.

7 Q. What did he say?

8 A. Well, some of it I learned in the context of
9 this litigation so I'm sure my lawyer would tell me not
10 to talk about that.

11 Q. I'm sure he will. Why don't we hear that
12 instruction from the lawyer.

13 MR. SILVERGLATE: You're instructed not to
14 talk about things you learned during the course of
15 the litigation that are privileged but outside of
16 that you can answer the question.

17 MR. RIVERO: Join.

18 THE WITNESS: Well, in sum he told me that
19 Dave was a very good friend of his. Probably his
20 best friend. He doesn't have a lot of close
21 friends and that Dave was one of the few people who
22 he felt close to and that he told me some of Dave's
23 life story I think at one point that he was -- that
24 Dave would tell Craig he was very ill at the end
25 before Dave died and that Craig was very hurt and

1 sad when he found out that Dave died and that he
2 had helped him with Bitcoin. I think he said at
3 one point he helped Craig edit the white paper of
4 Bitcoin and trying to think if there was anything
5 else. That's the gist of it.

6 BY MR. FREEDMAN

7 Q. Did he ever refer to Dave Kleiman as his
8 partner?

9 A. No. Not to me.

10 Q. You have a very clear recollection he never
11 referred to Dave Kleiman as his partner?

12 MR. RIVERO: Object to the form.

13 THE WITNESS: I have never heard him use that
14 word with almost anybody.

15 BY MR. FREEDMAN

16 Q. Did you ever ask Craig how much Bitcoin he
17 mined as Satoshi and again given your lawyer's
18 instruction that will stay outside -- obviously without
19 prejudice to my right to get this later but I understand
20 the instruction you've been given so for purposes of the
21 deposition stay outside your liaison role?

22 A. No, I never asked the question.

23 Q. Did he ever tell you how much he mined?

24 A. No.

25 Q. When you had that Coin Geek conference where

1 you hosted an interview of Craig about him being Satoshi
2 what was that date?

3 A. It was sometime in 2018.

4 Q. Had the lawsuit already been filed?

5 A. Yes.

6 Q. So you put Craig on a public stage, asked him
7 about Dave Kleiman's participation in the Bitcoin and
8 you had absolutely no preparation sessions with him
9 about that?

10 A. That is correct.

11 Q. Did anybody have preparation sessions with him
12 about it?

13 A. Not that I know of. Not how Craig works.

14 Q. Did you think that was advisable?

15 A. I told him we should be aware of what he said
16 publicly. It would be viewed by opposing counsel.

17 Q. So there was --

18 A. I didn't have a session with him to prepare
19 what he would say.

20 Q. But you admonished him to be careful?

21 A. Yes.

22 Q. Which is --

23 A. Not the right word. I obviously said, you
24 know, be aware that not just in that interview, anything
25 he says publicly, right, could be reviewed and since

1 that was a first big effort time where he sat down and
2 talked about the creation of Bitcoin, you know, I want
3 him to be extra mindful.

4 Q. Perfectly reasonable thing to do. Did -- what
5 did he say?

6 A. What do you mean what did he say?

7 Q. When you told him be careful because opposing
8 counsel can review what's being said and he just said
9 okay? Did he comment? Did he not respond? What was
10 his response?

11 MR. SILVERGLATE: Objection, it calls for a
12 privilege.

13 MR. RIVERO: Join.

14 BY MR. FREEDMAN

15 Q. Did Craig Wright ever tell you that Dave
16 Kleiman was not his partner?

17 MR. SILVERGLATE: Outside the scope of the
18 privilege, Jimmy.

19 THE WITNESS: I can't answer the question.

20 BY MR. FREEDMAN

21 Q. Just so it's clear while obviously I want to
22 know all the answers within that scope and your lawyers
23 and I don't see eye to eye on that you've been
24 instructed not to answer so you should assume for all of
25 my questions that you are not -- unless you are

1 instructed otherwise by your lawyer you are not to give
2 me answers for that time period, okay? We already have
3 a record that you're not going to answer anything so
4 don't want to waste our time to ask questions that
5 you'll be instructed.

6 In the media sessions that I referenced
7 earlier there are notes from the PR company about how to
8 alter the tone of the message or tweak the message
9 that's being given to make Craig more of a central focus
10 of the Satoshi Nakamoto team or the driving force behind
11 it. Was that concern carried over into your tenor at
12 nChain?

13 A. I'm not familiar with the notes you're talking
14 about. I have never seen them.

15 Q. So then let's -- let me rephrase that
16 question. During your time at nChain was there a
17 concern about making sure Craig spoke very prominently
18 about his contribution to being Satoshi as opposed to
19 giving credit out to anyone else?

20 A. No.

21 Q. Did you see that Craig had a tendency to give
22 credit to other people when he talked about Satoshi --
23 about being Satoshi?

24 A. I saw that he would acknowledge people often.
25 From what I've seen in his public statements were fairly

1 consistent about that.

2 Q. Do you believe that Dave Kleiman participated
3 in Bitcoin's early days?

4 A. I don't have any basis to answer that.

5 Q. Do you think that a lot of people will
6 acknowledge that?

7 MR. SILVERGLATE: Object to the form.

8 MR. RIVERO: Objection to the form.

9 THE WITNESS: I can't speculate on what people
10 would acknowledge.

11 (Plaintiff's Exhibit No. 9 was
12 marked for identification.)

13 BY MR. FREEDMAN

14 Q. I am going to share with you Mr. Nguyen a news
15 article. I think we're going to be marking now as
16 Exhibit 9. You see that article and let me scroll to
17 the top for you. It's an interview with you conducted
18 by Finance Magnates and it was about April 9th of 2019.
19 Do you see that?

20 A. Yes.

21 Q. Do you remember giving this interview?

22 A. Like I said I give a lot of interviews. I
23 remember this happened but I don't remember the actual
24 interview itself but I remember it happened.

25 Q. I want to point you to this quote where the

1 reporter -- can you read it for the record? Can you
2 read this quote for the record?

3 A. "And more importantly if you look at the Court
4 order even though Craig disagrees with it, the Judge
5 decided to find that Craig was in a partnership with
6 Dave Kleiman. A lot of people, even if they are
7 detractors of Craig will acknowledge that Dave was a
8 good person who participated in Bitcoin's early days."

9 Q. Do you remember giving that quote?

10 A. I don't remember saying it but it it's there
11 and that's what it says.

12 Q. Do you doubt that you said it?

13 A. I don't have any reason to doubt it.

14 Q. So do you think you can agree with this
15 statement that a lot of people acknowledge that Dave
16 participated in Bitcoin's early days?

17 A. From what I hear I think what I was
18 referencing there I rely on looking at the Bitcoin block
19 chain industry and there are people who believe Dave
20 Kleiman participated in the -- in helping Craig with
21 Bitcoin.

22 Q. Again outside of your role as a liaison did
23 Craig ever tell you that he mined Bitcoin with Dave
24 Kleiman?

25 MR. RIVERO: Objection, asked and answered.

1 THE WITNESS: Well, I can answer he's never
2 told me that.

3 BY MR. FREEDMAN

4 Q. I'm not sure if you're including the time you
5 were as a liaison there but I think your lawyers will
6 let you answer the question. I just want to be clear as
7 the timeframe you gave that answer for.

8 MR. RIVERO: Let me just be clear from our
9 perspective Mr. Nguyen, which we already talked
10 about we're instructing you not to answer in that
11 time period at all so just be careful. That's the
12 instruction.

13 THE WITNESS: No, he's never told me that.

14 BY MR. FREEDMAN

15 Q. When you gave your answer before when you were
16 limiting it to the permissible timeframe let's say?

17 A. I guess I wasn't thinking about the timeframe.

18 MR. SILVERGLATE: Well, we'll move to strike
19 his testimony if it was within the impermissible
20 timeframe.

21 MR. FREEDMAN: Why don't we just get a clear
22 answer whether it was or wasn't. Was it in the --
23 did your answer include the impermissible
24 timeframe?

25 THE WITNESS: I didn't think about it so --

1 MR. RIVERO: You know what it is a negative --
2 I don't want to have an argument about this later
3 on. So if it's a negative it's a negative.

4 THE WITNESS: I don't recall any time.

5 MR. RIVERO: Exactly.

6 BY MR. FREEDMAN

7 Q. Let's stay within the timeframe that you're
8 permitted to talk about. Did he -- did he ever tell you
9 that they did not mine Bitcoin together?

10 MR. RIVERO: Object to the form.

11 THE WITNESS: I think to the time period which
12 is covered by the privilege.

13 BY MR. FREEDMAN

14 Q. No, just asking outside of that timeframe did
15 he ever tell you "I did not mine Bitcoin with Dave
16 Kleiman?"

17 A. I don't think so.

18 Q. Did Craig ever tell you within the permissible
19 timeframe that he was holding backup files for Dave
20 Kleiman?

21 A. No.

22 Q. When is the first time you heard of W&K Info
23 Defense Research?

24 A. After this lawsuit was filed.

25 Q. So it's safe to say Craig never mentioned W&K

1 prior to this lawsuit?

2 A. That's correct.

3 Q. You don't recall ever seeing W&K in any
4 documents you reviewed prior to this document?

5 A. I do not recall seeing it before.

6 Q. You don't recall any documents showing
7 potential concerns over ownership of intellectual
8 property vis a vis nChain because of W&K?

9 A. I don't recall that.

10 Q. Has Craig ever expressed a concern to you
11 about having to pay taxes on his Bitcoin?

12 A. He's not expressed a concern to me about that.

13 Q. Has he ever talked to you about strategically
14 deploying his Bitcoin so as to avoid taxation?

15 A. No. He has not said that.

16 Q. Has he ever expressed a desire to become
17 Antiguan before he accesses his Bitcoin in order to
18 avoid a taxable event?

19 A. He's never said that to me.

20 Q. Has he ever expressed any kind of tax planning
21 statement around accessing Bitcoin?

22 A. I have heard him generally say he needed to
23 deal with paying tax on Bitcoin when his family accesses
24 it one day. That's pretty much all I know.

25 MR. FREEDMAN: I think this is a good place

1 for me to stop. We're close enough to 12:00 your
2 time that we had talked about having a lunch break.
3 So if that works. Do we want to take like an hour
4 20 and then come back on the record?

5 MR. SILVERGLATE: I am not sure we even need
6 that much time do you Andres or Jimmy?

7 MR. RIVERO: No. It may be Amanda when we
8 resume but I don't think we need an hour 20.

9 MR. SILVERGLATE: Want to say an hour?

10 MR. FREEDMAN: I need the hour 20. I will --
11 if you want I think there's an e-mail chain with
12 all of us on it if we can finish up earlier but I
13 need an hour 20.

14 MR. SILVERGLATE: Any idea when you intend to
15 complete the deposition?

16 MR. FREEDMAN: I've got to go back through my
17 notes see how your instruction has altered the
18 timeframe. So let me figure that out and hopefully
19 when we get back I'll have a better sense of that.

20 MR. SILVERGLATE: Okay. Before we break I'm
21 going to join in designating the deposition as
22 confidential.

23 MR. FREEDMAN: Okay. You have a copy of the
24 protective order, there's timeframes you have to
25 de-designate and that sort of thing. Great. So

1 thank you all see you back in about an hour 20.

2 I'm terrible with math so 3:20 about?

3 THE VIDEOGRAPHER: Going off the video record
4 the time is 2:50 p.m.

5 MR. SILVERGLATE: 4:20.

6 MR. FREEDMAN: I gave the caveat I am terrible
7 at math. I wish I wouldn't have said it on the
8 record because now I look like an idiot. It is
9 what it is. 4:20 it is. Thank you everyone. See
10 you soon.

11 (Thereupon, a brief recess was taken.)

12 THE VIDEOGRAPHER: We are back on the video
13 record. The time is 4:26 p.m.

14 BY MR. FREEDMAN

15 Q. Good afternoon, Mr. Nguyen, I hope your lunch
16 was nice. That was a little broken up but I don't know
17 if it was your connection or can you try to speak one
18 more time?

19 A. Yes, thank you.

20 Q. I want to spend a little bit more time
21 unpacking your liaison role. So cautionary word of
22 caution wait a minute before -- after I ask my question
23 allow Spencer and Mr. Rivero to object if they feel
24 necessary. Is there a joint defense agreement that you
25 are a party to?

1 A. Yes.

2 Q. What is the date of that joint defense
3 agreement?

4 A. There are two.

5 Q. Sorry, I can't hear you.

6 A. There are two. I'm individually a party to is
7 the signed one in April of 2020.

8 Q. So both joint defense agreements were signed
9 in April of 2020?

10 A. No. There is a joint defense agreement --
11 Spencer I'm assuming I can answer the question.

12 MR. SILVERGLATE: You can describe the other
13 joint defense agreement, Jimmy.

14 THE WITNESS: This is the first joint defense
15 agreement is between nChain and Craig Wright.

16 BY MR. FREEDMAN

17 Q. What is the date of that agreement?

18 A. I don't remember the exact date. I don't have
19 a copy of it. It would have been executed shortly after
20 the lawsuit was filed after outside counsel was selected
21 so early on in the case in 2018.

22 Q. And are you a party to that individually?

23 A. That I'm not a party to individually.

24 Q. There is a second joint defense agreement.
25 What is the date on that one?

1 A. I don't know it has a specific date. It's
2 signed in April 2020.

3 Q. That's between you personally and who?

4 A. Between Craig Wright, nChain and me
5 personally.

6 Q. Did an amendment of the original or is it a
7 brand new defense agreement?

8 A. Second joint defense agreement. Not an
9 amendment. It's not called a joint defense agreement
10 it's called interest agreement or common interest
11 agreement.

12 Q. So the joint defense agreement from early 2018
13 between nChain and Craig Wright what is the basis of
14 that joint defense agreement?

15 A. I guess I'm not sure I understand the
16 question.

17 Q. What is the joint interest that is seeking to
18 be protected?

19 A. I don't have the agreement in front of me. I
20 know it discusses that. I can tell you assuming Spencer
21 is allowing me to answer the question. Can I answer the
22 question?

23 MR. SILVERGLATE: You can answer, yes.

24 THE WITNESS: The general feeling at the time
25 was -- at the time I was nChain's CEO we heard the

1 lawsuit was filed. We knew the lawsuit was against
2 Craig personally but the lawsuit I believe reading
3 the complaint asserted claims to an interest in any
4 intellectual property. I don't know how it was
5 phrased but from or created by Craig in connection
6 with Bitcoin.

7 We believed there was a chance that the
8 Kleiman estate which you represent would either
9 assert claims directly or indirectly against nChain
10 or any of its assets and since Craig was an
11 employee of nChain and chief scientist we felt it
12 appropriate to enter into the agreement. NChain or
13 any of its (inaudible) implicated whether it got
14 sued directly or not.

15 BY MR. FREEDMAN

16 Q. What is the basis or what is the common
17 interest seeking to be protected in the new April 2020
18 agreement?

19 A. Again I don't have it in front of me so I know
20 there's a description of it in there. I would say
21 generally the -- I guess I have to be careful not to
22 disclose privileged communications here but in general I
23 left my role with nChain in March of 2020 just last year
24 so my dealings and communications with respect to the
25 lawsuit while I was at nChain would have been covered

1 under the first joint interest agreement between nChain
2 and Craig and now that I am not with nChain any more
3 because the knowledge I have that relates to nChain
4 lawsuit is obviously being examined in this case I
5 thought it was appropriate to enter into a second
6 agreement to add to the first one to cover going forward
7 Craig Wright, nChain and me individually.

8 Q. What is your specific interest in this
9 litigation that aligns with nChain and Craig Wright?

10 A. I don't have a -- Spencer, can I answer this
11 question?

12 MR. SILVERGLATE: Well, I would say -- so I've
13 already asserted what the interest is when you
14 asked me the question and I've already explained he
15 is a liaison to Craig in the litigation. So that's
16 the interest. If Jimmy wants to expand on that
17 that's fine but we've already plowed that ground I
18 think.

19 BY MR. FREEDMAN

20 Q. Do you have anything to add to that,
21 Mr. Nguyen?

22 A. Not at this time.

23 Q. Are you aware of communications between Craig
24 and nChain that are subject to the joint defense
25 agreement?

1 A. I'm not sure how to answer that question.
2 Obviously an employee of nChain as well as a separate
3 individual capacity.

4 Q. So in your role as a liaison did you ever do
5 your -- did you ever liaise in person?

6 A. Yes.

7 Q. Did you ever liaise through e-mail?

8 A. Yes.

9 Q. Did you ever liaise through text messages?

10 A. Yes.

11 Q. Did you ever liaise in any other form of
12 communication?

13 A. I think that covers most of it.

14 Q. Does Craig have access to his nChain e-mail
15 account?

16 A. I can't answer that question. I don't know.

17 Q. While you were CEO did Craig have access to
18 his nChain e-mail account?

19 A. I would assume so, yes.

20 Q. Did you get e-mails from him from his nChain
21 e-mail account while you were CEO?

22 A. Yes.

23 Q. Have you recently received an e-mail from
24 Craig from his nChain e-mail account?

25 A. Probably. I haven't had that many e-mails

1 with Craig but yes, probably.

2 Q. In your role as liaison did you assist in the
3 collection of documents in this litigation?

4 A. No. You mean for Craig? No.

5 Q. Prior to -- I think your testimony earlier was
6 you began liaising before Rivero, Mestre was hired; is
7 that correct? Sorry, I didn't hear the answer.

8 A. That is correct.

9 Q. I think there might be something up with your
10 mic if you can just project a little louder.

11 A. That is correct. Again liaising with Craig
12 before Rivero, Mestre was engaged to represent him.

13 Q. So I'm not sure what your lawyer is going to
14 do here but pause a second allow Spencer. Prior to
15 Rivero, Mestre being retained did you discuss this
16 lawsuit with Dr. Wright?

17 MR. SILVERGLATE: So the answer to that
18 question is yes or no.

19 THE WITNESS: Yes.

20 BY MR. FREEDMAN

21 Q. And pause again, what were the substance of
22 those communications?

23 MR. SILVERGLATE: Objection, instruct him not
24 to answer, it's privileged.

25 MR. RIVERO: Join.

1 BY MR. FREEDMAN

2 Q. Again I'm going to ask you to give your lawyer
3 a chance I'm not sure how they're going to come out on
4 this. Did you ever discuss your subpoena with Rivero,
5 Mestre?

6 MR. SILVERGLATE: Objection. Don't answer,
7 it's privileged.

8 MR. FREEDMAN: Based on that instruction I'm
9 going to skip all the subsets of that.

10 BY MR. FREEDMAN

11 Q. When did you first find out you had been
12 subpoenaed or attempted to be subpoenaed in this
13 litigation?

14 A. I found out through counsel.

15 Q. Who are you referring to when you say counsel?

16 A. I found out not through my counsel, through
17 Craig's counsel.

18 Q. Do you recall the date?

19 A. I don't know the exact date. It would have
20 been in --

21 MR. SILVERGLATE: Stop Jimmy, stop. I believe
22 that this is privileged. It's your communications
23 with Craig's counsel so it's subject both to the
24 joint interest agreement and to the attorney-client
25 privilege. So I'm going to assert the privilege

1 here.

2 BY MR. FREEDMAN

3 Q. Besides Rivero, Mestre that you've identified
4 as part of your liaising duties do you liaise with any
5 other lawyers for Craig Wright?

6 MR. SILVERGLATE: Asked and answered.

7 MR. FREEDMAN: You can answer unless he
8 instructs you not to.

9 MR. SILVERGLATE: You can answer.

10 THE WITNESS: Not on this case.

11 BY MR. FREEDMAN

12 Q. Are there any other members of the defense
13 team that you're aware of that are similar -- are also
14 act as a liaison?

15 A. No.

16 Q. In your role on the defense team do you act as
17 a liaison between Craig and anyone that is not an
18 attorney?

19 A. Not that I can recall.

20 Q. Did you ever liaise between Craig and nChain?

21 A. Not for this purpose.

22 Q. Did you ever act as a liaison between Craig
23 Wright's lawyers and someone other than Craig Wright?

24 A. Yes.

25 Q. I am going to ask you but give your lawyer a

1 second I don't know what he is going to say who did you
2 liaise in that capacity for?

3 MR. SILVERGLATE: Are we talking about in the
4 litigation?

5 THE WITNESS: Yes.

6 MR. SILVERGLATE: Okay, can you answer without
7 encroaching on privileged communications?

8 THE WITNESS: I think so, yes. Steve
9 Shadders.

10 BY MR. FREEDMAN

11 Q. Anyone else?

12 A. I can't recall anybody else.

13 Q. What about Calvin Ayre?

14 A. No.

15 Q. How about Ron Tarter?

16 A. No. Actually let me correct that. I do
17 recall having communications with Ron Tarter in
18 connection with explaining things that were happening
19 with Craig in the lawsuit.

20 Q. So wait before you answer. Can you tell me
21 the content of those communications?

22 MR. SILVERGLATE: So I'm not sure who this is.

23 MR. RIVERO: Let me step in. I'm going to
24 assert the common interest privilege and if the
25 question is about the substance of the conversation

1 we're going to assert the privilege.

2 BY MR. FREEDMAN

3 Q. Ron Tarter, is there a defense agreement
4 between Craig Wright -- to your knowledge Mr. Nguyen is
5 there a defense agreement between Craig Wright and any
6 of Calvin Ayre's companies?

7 A. I do not know.

8 Q. And you understand Ron Tarter works for Calvin
9 Ayre?

10 A. Correct.

11 Q. Is there a common interest between Calvin Ayre
12 and Craig Wright?

13 A. I don't know if I can answer that question.
14 Certainly they have a common interest in, you know,
15 Bitcoin and the growth of Bitcoin.

16 Q. But as it relates to this litigation?

17 A. I don't know how to answer. I don't have the
18 basis to answer that question. I suppose you can say --

19 Q. Just to be clear what was the date of the
20 communication between you and Ron Tarter?

21 MR. SILVERGLATE: Before he answers that I
22 think you cut off his last answer.

23 MR. FREEDMAN: I'm sorry, go ahead.

24 THE WITNESS: I was going to say Calvin is now
25 a shareholder of nChain as was announced sometime

1 last year and obviously nChain is -- I've explained
2 has a common interest with Craig about this
3 litigation.

4 BY MR. FREEDMAN

5 Q. What was the date of your communication with
6 Ron Tarter?

7 A. I don't recall. It would have been in I would
8 say summer of 2018. Later in the summer or fall of
9 2018.

10 Q. That would be before Calvin Ayre became a
11 shareholder of nChain?

12 A. I don't have the date -- I have the years
13 wrong. 2019.

14 Q. Still before Calvin Ayre became a shareholder
15 of nChain?

16 A. I don't know the exact date Calvin became a
17 shareholder. I know when it was announced. I don't
18 know when it became effective.

19 Q. Did you ever liaise between Craig Wright and
20 Stefan Matthew?

21 A. That was strange.

22 Q. Steven Matthews. Did you ever liaise between
23 Craig Wright and Steven Matthews?

24 A. You mean Stefan?

25 Q. Yes.

1 A. Stefan is part of nChain. So I would get
2 questions about what's going on with the lawsuit to
3 provide him just general status of where the lawsuit is
4 going or what's happening with it, status to people like
5 Stefan.

6 MR. SILVERGLATE: Vel, I think we lost Andres.

7 MR. FREEDMAN: I see that. Zalman is on.
8 Zalman -- I do see Andres is on. He's turned off
9 his video but he is on. He has muted himself so we
10 can't hear him. He has not muted himself. Somehow
11 he's been muted. I'll try to undo that.

12 MR. RIVERO: I did take myself off video. I
13 didn't mute myself. I don't know how that happens.

14 BY MR. FREEDMAN

15 Q. Have you ever acted as liaison between Craig
16 Wright and Ramona Watts?

17 A. No.

18 Q. Have you ever participated in discussions
19 about this lawsuit between -- that involved Craig Wright
20 and Ramona Watts and yourself?

21 A. Yes.

22 Q. Give your lawyer a minute here but I'm going
23 to ask what was the content of those communications?

24 MR. SILVERGLATE: I'm going to object if those
25 communications were with Craig Wright and Ramona I

1 think it would all be subject to the privilege.

2 MR. RIVERO: Join.

3 MR. FREEDMAN: You said object Spencer, I
4 assume you're instructing him not to answer?

5 MR. SILVERGLATE: I instruct him not to
6 answer.

7 THE WITNESS: I guess I have to rephrase my
8 answer to the last question. I won't answer the
9 substance of communications. You asked me did I
10 act as a liaison between Craig and Ramona. My
11 initial thought -- that's a hard question to
12 answer.

13 My initial thought was to say no but I was
14 asked to help facilitate understanding
15 communication things related to the case with Craig
16 and with Ramona involved and does that mean I was
17 liaising with Craig to Ramona to some extent I
18 guess it does.

19 BY MR. FREEDMAN

20 Q. Well, I'm going to repeat my question and you
21 can take a beat there for Spencer to jump in. Can you
22 tell me the content of those communications?

23 MR. SILVERGLATE: I'm going to object and
24 assert the privilege instruction.

25 MR. RIVERO: Join.

1 MR. FREEDMAN: Just so the record is clear
2 which privilege are you invoking?

3 MR. SILVERGLATE: Attorney-client joint
4 interest.

5 MR. FREEDMAN: Whose joint interest?

6 MR. SILVERGLATE: I'm asserting a joint
7 interest privilege and I don't think I need to get
8 into a colloquy or argument with you here.

9 MR. FREEDMAN: Okay. There's two different
10 joint interest agreements, just trying to figure
11 out which one you're invoking.

12 MR. SILVERGLATE: It depends which timeframe
13 we're talking about.

14 MR. FREEDMAN: Fair question. What was the
15 timeframe of these communications.

16 MR. SILVERGLATE: He's already described that.

17 MR. FREEDMAN: I don't think so. He just
18 talked about their existence for the first time a
19 few minutes ago.

20 MR. SILVERGLATE: You're right, I thought you
21 were asking about the timeframe for the agreements.
22 You're right, he didn't talk about the
23 communications.

24 THE WITNESS: I can tell you it was during the
25 timeframe covered by the first joint interest

1 agreement.

2 (Discussion held off the record.)

3 BY MR. FREEDMAN

4 Q. Do you know if anyone else could fill the
5 liaison role you're filling -- that you described?

6 MR. RIVERO: Object to the form.

7 THE WITNESS: Do I believe anybody else could?
8 In theory you know yes, there probably could be
9 other people. I would answer that -- how I would
10 answer that is Craig asked me because he felt I was
11 uniquely situated to do it because not that many
12 people understand Craig given his difficulty in
13 communication and also I was a former lawyer in the
14 U.S. and also I understand, you know, Bitcoin from
15 working with him and so that's a rare combination
16 to find in one person especially the part about
17 deciphering Craig as I would say. He's often
18 difficult to understand and people who are new to
19 him working with him have challenges understanding
20 what he is trying to say or communicate.

21 So could someone else fill this role, you
22 know, there's a lot of people in the world
23 potentially. I am just -- I was the obvious choice
24 for it given my working relationship with him and
25 those other factors.

1 BY MR. FREEDMAN

2 Q. Have you heard -- had you heard of Dave
3 Kleiman prior to January of 2017?

4 A. I think I might have seen the name somewhere
5 but I didn't really know much about him.

6 Q. Do you know where you saw that name from?

7 A. Before I reviewed documents that produced to
8 you in response to the subpoena I didn't think I had
9 even heard the name at all until much later but I think
10 there's an e-mail where Kleiman is mentioned and I don't
11 even remember seeing the reference to Kleiman in the
12 e-mail.

13 That may be the first time I saw it but at the
14 time I probably would not have even given it much
15 thought. I think I did not really understand who Dave
16 Kleiman was until late 2017, maybe early 2018.

17 (Plaintiff's Exhibit No. 10 was
18 marked for identification.)

19 BY MR. FREEDMAN

20 Q. I share with you what we're going to mark as
21 Exhibit 10. It's Nguyen 642. Is this the e-mail you're
22 referencing?

23 A. That's correct. I saw this e-mail in my
24 review to produce documents to you and some of it had
25 mentioned Dave Kleiman but when I saw it I don't even

1 remember seeing the reference to Dave Kleiman at the
2 time.

3 Q. You ask on the 27th of December you say "who
4 is Uyen" and then you get a response back from Stefan he
5 says "long story she worked with CSW" which is Craig
6 Steven Wright; correct?

7 A. Correct.

8 Q. "And Dave Kleiman professes love for CSW.
9 Sees us destroying our involvement with the CSW." Did
10 you follow up with this and say who the heck is Dave
11 Kleiman?

12 A. Not at the time.

13 Q. Did you know who he was?

14 A. No. I think I had heard or read -- there's a
15 lot of media coverage about Craig and Bitcoin and this
16 question who is Satoshi Nakamoto. I mean in my process
17 of understanding this world before I left my legal
18 practice to join nChain I remember surfing the internet
19 trying to read what I can see and I think I remember
20 seeing Dave Kleiman's name but I didn't have much of a
21 background so I didn't understand it. This e-mail
22 you're focusing on Uyen in fact when I saw Dave
23 Kleiman's name like I said I can't even remember it
24 triggering any reaction at the time.

25 Q. Glad you can help solve a little debate on our

1 side here which is how do you pronounce her name?

2 A. Well, again there's the Vietnamese
3 pronunciation and Americanized pronunciation. Her last
4 name is mine Nguyen and I actually have -- even though I
5 am Vietnamese American I don't know that I've ever known
6 another person with that name so how I pronounce in
7 Vietnamese is I guess it would be Uyen Nguyen which
8 sounds very weird. I'm not certain because I have never
9 met another Vietnamese person with that name.

10 Q. I understand that the last name Nguyen is a
11 very common last name from Vietnam. But I have to ask
12 obviously is there any relationship between you and
13 Ms. Nguyen?

14 A. No. And contrary to some internet rumors I am
15 not her.

16 Q. I've seen pictures and I can attest to that
17 unless you're a master of disguise. Prior to the time
18 and your not being permitted to testify about had Craig
19 ever mentioned about the trust to you?

20 A. No.

21 Q. Based on -- again prior to the time you're not
22 being permitted to testify did Craig ever mention the
23 Australian Tax Office investigation to you?

24 A. Yes.

25 Q. What did he say about it?

1 A. Well, generally I got the, you know, short
2 version of what I assume is a much longer story that he
3 had applied for tax credits for research and development
4 tax credits in Australia, the Australian Tax Office
5 denied those credits. That led to some big, you know,
6 fight with the Australian Tax Office and that he felt
7 that the credits were proper and they did not understand
8 Bitcoin -- the work he was doing was a business. They
9 thought it was a hobby which is why he said they denied
10 the tax credits and that led to a big fight.

11 Q. Did he ever tell you that the Australian Tax
12 Office accused him of forging documents?

13 A. I don't know if he told me that. I heard that
14 somewhere.

15 Q. Did he ever tell you that his lawyers in
16 Australia terminated their representation of his
17 companies based on these forgeries?

18 A. No. I never heard that before today.

19 Q. Did he ever talk to you about Andrew Summer?

20 A. I don't think so. The name doesn't ring a
21 bell.

22 Q. Did he ever tell you that he had meetings with
23 the Tax Office?

24 A. I know he said he met with the Tax Office.

25 Q. Did he ever tell you that there were

1 transcripts made of his meetings with the Tax Office?

2 A. I don't know if he told me that. Somehow I
3 became aware there are.

4 Q. Did he ever mention those transcripts to you?

5 A. Nope.

6 Q. Did he ever mention the name Mark Ferrier to
7 you?

8 A. No.

9 Q. Prior -- again all these are prior to the time
10 period you're permitted to testify about pursuant to
11 your lawyer's instruction. Prior to the time -- prior
12 to the time you're forbidden to talk about did Craig
13 ever mention Uyen to you?

14 A. Yes.

15 Q. What did he say about her?

16 A. I don't remember. What I remember him
17 saying -- I had seen her name somewhere on the internet.
18 I thought it was funny that she has another Vietnamese
19 name and I asked who was she and he said, she used to
20 work for me.

21 Q. You just left it at that?

22 A. Yes. Because this was at a point in my
23 working relationship with Craig where I don't think I --
24 we weren't -- I wouldn't call us friends at that point.
25 We were just getting to know each other and he's a hard,

1 difficult person to get to know so I didn't feel
2 comfortable, you know, asking, you know, more probing
3 questions.

4 Q. Did you ever talk to him again about her prior
5 to this time you're not permitted to testify about?

6 A. I think her name came up again at some point
7 and I'm trying to remember when. I think sometime in
8 2017.

9 Q. Do you remember what that was about?

10 A. Yes, I think it was I was at a conference with
11 Craig and Ramona in the Netherlands and I think it was
12 Ramona asked me if I knew that -- whether Uyen Nguyen
13 might be there and something -- that's the only
14 conversation I remember about it.

15 Q. When you started working at nChain you
16 understood at that time that Satoshi Nakamoto had
17 control over billions of dollars of Bitcoin; right?

18 A. I had read on the internet that there was this
19 question of who is Satoshi Nakamoto and that there were
20 all these coins that were mined, controlled by Satoshi
21 that had never been moved.

22 Q. Did you make the connection to the extent
23 Craig Wright was Satoshi Nakamoto he would have control
24 over billions of dollars of Bitcoin?

25 A. I didn't necessarily make the connection that

1 he would have control over it because I didn't at the
2 time know any details about how the coins were held or
3 anything like that but did I think that yes, Craig
4 Wright or his family might have access at some point one
5 day to a lot of Bitcoin yes, I did -- that thought did
6 occur to me.

7 Q. Why say one day, why wouldn't you think he
8 didn't have access immediately?

9 A. Because I had read on the internet somewhere.
10 This is Satoshi Nakamoto, you know, question raises a
11 lot of internet stories and I think I read on some of
12 the online stories about that these coins had never
13 moved and that there were rumors. There were in some
14 kind of trust or that they were locked up for some time
15 and that one day they would become accessible.

16 Q. You never asked Craig about it?

17 A. No, I didn't feel comfortable.

18 Q. You exercised a lot of restraint?

19 A. Well --

20 MR. SILVERGLATE: Object to the form.

21 THE WITNESS: He's a -- you know, here is what
22 I would say. When I first joined nChain that was
23 after the proof attempt that did not go well so he
24 was very sensitive at that time and volatile as a
25 personality to anything -- talking about anything

1 about being Satoshi Nakamoto and when I joined it
2 was my job to understand the work that was being
3 done at the company, get to know him, just that he
4 would be comfortable working with me and he is
5 important.

6 I didn't want to push him because that -- he's
7 got -- it's his personality where he is not like
8 the normal person. He can blow up quickly so I
9 felt it more important to focus on the work that we
10 were doing than try to push what our sensitive
11 topics to extract questions out of him that I knew
12 he wouldn't want to talk about.

13 BY MR. FREEDMAN

14 Q. You said before that he was volatile after the
15 proof failed. What do you mean by volatile?

16 A. Well, I wasn't at in London or nChain's office
17 after the proof failed. I can only tell you about my
18 experience or things I learned afterwards and after I
19 joined nChain. He's had moments of being volatile with,
20 you know, employees we had at the time at nChain in the
21 office.

22 He resisted wanting to do any media for a long
23 time. When people -- when he feels he is not understood
24 he can, you know, get angry, blow up and what I've
25 learned is he has a hard time being understood, you

1 know, what I say to you normal people might understand
2 and he gets really frustrated and agitated often when he
3 is trying to say something to me, people in our office
4 lot of times and they're not getting it and there were a
5 lot of times where there would be blow ups.

6 Q. Prior to this time that you start acting as
7 liaison did Craig Wright ever mention Denis Mayaka?

8 A. Yes.

9 Q. What did he say about him?

10 A. The first time I think I heard of Denis Mayaka
11 is I got an e-mail I'm not sure if it was from Denis or
12 someone who knew Denis about asking Craig to come speak
13 at a conference somewhere in Africa and I did not know
14 who this person was so I asked Craig who is Denis.

15 Q. What did he say?

16 A. He said he's someone who I know in Africa and
17 I don't know if he said he works for him but something
18 to the extent, you know, he does work for me or my
19 family, you know, I don't know if he said companies.
20 There was some professional relationship between them.

21 Q. Did he say he was his lawyer?

22 A. I don't remember. I remember him saying at
23 some point he is a lawyer because it came up that I was
24 a lawyer and he was a lawyer.

25 Q. Do you know if Mayaka is a lawyer?

1 A. I never asked the question I don't think. I
2 was just told he is.

3 Q. Have you ever spoken to Mayaka?

4 A. No.

5 Q. Do you know Mayaka exists?

6 A. I think I've gotten a couple of e-mails over
7 the course of time. That was about following up about
8 trying to find a time to get Craig to come speak at a
9 conference because that was part of the role I filled
10 while I was at nChain was fielding, facilitating,
11 speaking requests for Craig and so I got e-mails from
12 him but I have never spoken to him. I got e-mails from
13 who I was told was Denis.

14 Q. That was my next point which is you don't
15 actually know who sent you those e-mails, do you?

16 A. No. I just know they were named -- they came
17 from an e-mail account or person's name that was Denis.

18 Q. Have you ever liaised with Mayaka?

19 A. No.

20 Q. Did he ever mention Mayaka and trusts?

21 A. Only after the litigation was started.

22 Q. Prior to the -- your job as a liaison did
23 Craig ever mention a bonded courier to you?

24 A. I'm sorry, could you repeat the question?

25 Q. Did Craig ever mention a bonded courier to

1 you?

2 MR. SILVERGLATE: Prior to your job as a
3 liaison.

4 THE WITNESS: No.

5 BY MR. FREEDMAN

6 Q. Prior to your job as a liaison did Craig ever
7 mention Shameer's Secret Sharing Algorithm to you?

8 A. I don't know if he mentioned it. I know I was
9 involved in meetings and discussions at nChain about the
10 concept of Shameer's Secret Sharing Scheme in the
11 context of the work being done at nChain by some of the
12 researchers and I believe Craig may have been in the
13 room for one or more of those meetings.

14 Q. Do you believe Satoshi Nakamoto was one person
15 or a team of people?

16 MR. RIVERO: Object to the form.

17 THE WITNESS: I don't know that I can answer
18 that question. I can tell you, you know, based on
19 what I know and my discussions with Craig, you
20 know, that would not fall into the privileged area
21 that he has consistently said he was the primary
22 visionary, architect, creator of Bitcoin and
23 drafter of the white paper.

24 He did the -- he coded most of the first
25 client software for Bitcoin, first version of the

1 client software but that he had help.

2 BY MR. FREEDMAN

3 Q. But he never expanded on what help meant?

4 A. I think I said earlier I believe at one point
5 he said -- told me that Dave helped him edit the white
6 paper and that conversation came up because I -- one of
7 my early tasks in starting to work with Craig was to
8 help him with his papers that he was trying to put out
9 while he was at nChain and so I helped review and edit
10 some of his papers to the best I could and he -- that's
11 how we got to somehow the conversation about he told me
12 that Dave Kleiman had helped him with it, the Bitcoin
13 white paper.

14 Q. Did you ask him any more details about that?

15 A. No. Like I said it was probably a good year
16 in my working with nChain before I felt I could -- I
17 knew Craig enough that we had a level of relationship
18 where I can ask to -- to talk about the Satoshi topic
19 without risk of him, you know, getting agitated.

20 Q. Do you believe Craig Wright is Satoshi
21 Nakamoto?

22 A. Yes.

23 Q. Why?

24 A. It's based on a collection of many things.
25 Based on him telling me very consistently about it but

1 it's more based on through my work with him seeing the
2 depth of knowledge he has about Bitcoin, the original
3 protocol, what it is capable of doing as a technology
4 platform. People think of it just as a digital
5 currency.

6 A lot of the world that's all they know of
7 Bitcoin but it's protocol rule set and technology system
8 as I learned from Craig to be used for so many more
9 powerful things and he has explained to me things he put
10 in Bitcoin's early design and protocol and code that
11 have all of these advanced uses and features that no one
12 else would have been able to figure out or at least
13 certainly other Bitcoin developers wondered why for
14 example this certain thing in the code and it's because
15 as I learned from him he's always had this grand vision
16 that what it could be used for.

17 So that is a big part of why. My
18 conversations with people like Steve Shadders, the CTO
19 of nChain who is very technically knowledge about
20 Bitcoin. In fact probably the most knowledgeable
21 Bitcoin person I've met or worked with. He believes
22 Craig is Satoshi. We've had that discussion and he
23 knows more technically to be able to challenge Craig on
24 a lot of things than I do and also because people like
25 Stefan Matthews have told me the reasons for their

1 belief. So it's a collection of a lot of things that
2 lead me to the conclusion. It's not any one thing.

3 Q. Prior to the time you began acting as a
4 liaison did Craig ever mention to you that he had been
5 hacked?

6 A. Yes.

7 Q. What did he say?

8 A. He told me that he's been the subject of many
9 hack attempts. That that was an issue in his case with
10 the Australian Tax Office that someone hacked his
11 company computers and tried to change documents.

12 He believed it was former disgruntled
13 employees, staff and that caused all kinds of problems
14 in dealing obviously with defending himself before the
15 Tax Office.

16 Q. Any other times?

17 A. We've had that conversation more than once and
18 I'm trying to remember if there was anything to add to
19 that. There was a former I guess I don't know if he was
20 an employee. Someone who worked for Craig, his company
21 unless Australia I think his name was Jamie Wilson,
22 something to that effect who I got connected to because
23 he -- after nChain went public, surfaced publicly we
24 started getting all kinds of inquiries and e-mails and
25 stuff and Jamie Wilson I don't know how he contacted us

1 but got somehow landed in my e-mail box wanting to sell
2 some IP he claimed he owned to nChain and said he knew
3 Craig from the past.

4 So I asked Craig who is this person and he
5 told me be very careful with him because he didn't trust
6 him and he thinks he was responsible for either altering
7 company documents or somehow doing something to disturb
8 the company computers and records and I think he was the
9 CFO or some kind of financial role.

10 Q. Did Craig mention to you that the alterations
11 to the documents in the Australian Tax Office supported
12 the positions that he was taking in front of the
13 Australian Tax Office?

14 A. I don't recall that.

15 Q. Do you believe Craig's been hacked?

16 A. I have no basis to answer that question since
17 I wasn't there at the time. I just know what he told me
18 and he and I believe Ramona his wife also told me he had
19 to get some kind of forensic I don't know if you call it
20 forensic audit, investigator to go back in and try and
21 prove this. So I don't have any personal basis to be
22 able to say yes or no.

23 Q. Do you believe Craig is a truthful person?

24 MR. RIVERO: Object to the form.

25 THE WITNESS: Should I answer that question?

1 MR. FREEDMAN: Sure.

2 THE WITNESS: I believe Craig is a truthful
3 person who has difficulty answering questions and
4 communicating in ways to normal people so that
5 people often think he is being less truthful than
6 he is.

7 BY MR. FREEDMAN

8 Q. Has Craig ever lied to you?

9 A. Not that I know of but I had to -- sometimes
10 he'll tell me something and it doesn't seem to make
11 sense and then I have to ask like five more questions to
12 extract out well, what do you mean that doesn't make
13 sense I thought you said this the other day. Something
14 slightly different and then I have to -- when I ask five
15 follow-up questions then I get to the answer. I said --
16 I'll say why didn't you just tell me that in the first
17 place and he'll say but that's not exactly the question
18 you asked and what I've learned is he is very linear,
19 right, in his way of thinking and answering questions
20 where, you know, you might ask me, you know what time of
21 day it is and I'll look at my clock I'll say okay it's
22 2:16 p.m. Pacific time. Then he'll say but you didn't
23 ask me what part of the country or what part of the
24 world and in the beginning it was frustrating to deal
25 with him in that regard but I've learned that it's -- he

1 interprets questions and how he answers them in a very,
2 you know, I would say in his own head in a way that I
3 learned that it takes time to sometimes get from him the
4 information you need.

5 Q. I am going to share with you what's been filed
6 as Exhibit 15 to the second amended complaint. Have you
7 ever seen this document before? I'm going to keep
8 scrolling unless you tell me to stop.

9 A. I'm not sure I've seen this exact document but
10 I've seen things that look like it.

11 Q. Have you seen this page before?

12 A. I have seen like -- as I recall there may be
13 disputes about different versions of this. I've seen a
14 page that looks like this.

15 Q. Have you ever asked Craig about it?

16 A. Only in the context of litigation.

17 MR. FREEDMAN: Sorry, that will be Exhibit 11
18 I think we're at to the deposition.

19 (Plaintiff's Exhibit No. 11 was
20 marked for identification.)

21 BY MR. FREEDMAN

22 Q. Do you understand that the judge in this --
23 magistrate judge in this litigation has found that Craig
24 submitted forged documents as evidence?

25 MR. RIVERO: Objection to form.

1 MR. SILVERGLATE: I'm going to object. If you
2 learned as part of the litigation and as part of
3 your privileged work in the litigation I'll
4 instruct you not to answer.

5 MR. RIVERO: Join that as well.

6 MR. FREEDMAN: It's a publicly filed opinion.

7 MR. SILVERGLATE: Can you read back the
8 question, please?

9 (Thereupon, a portion of the record
10 was read back by the reporter.)

11 MR. SILVERGLATE: If you learned from public
12 records then fine. If you learned from the lawyers
13 then I'm instructing you not to answer.

14 MR. RIVERO: I'll repeat my form objection.
15 You may answer.

16 THE WITNESS: I read the magistrate's order.
17 I don't recall the exact phrasing of it but I got
18 the order from counsel.

19 BY MR. FREEDMAN

20 Q. Do you have any opinion on that?

21 MR. RIVERO: Objection.

22 MR. SILVERGLATE: Object to the form.

23 THE WITNESS: Can I answer that question?

24 MR. RIVERO: Yes.

25 THE WITNESS: The only opinion I can draw upon

1 is based on what I've been told or know in the
2 context of assisting Craig with the litigation
3 under the joint interest arrangement.

4 MR. SILVERGLATE: I'm going to instruct him
5 not to answer.

6 MR. RIVERO: Join.

7 BY MR. FREEDMAN

8 Q. Do you understand that the magistrate in
9 Florida has found that Craig Wright has committed
10 perjury in his presence?

11 MR. SILVERGLATE: Same admonition, Jimmy.

12 THE WITNESS: As I said I read the
13 magistrate's -- I haven't read all the magistrate's
14 orders so if there's more than one I don't know.
15 I've read a magistrate order that discusses whether
16 Craig committed perjury or not. I don't remember
17 the exact phrasing.

18 BY MR. FREEDMAN

19 Q. So you testified earlier that you're aware we
20 were trying to subpoena you in February of 2020;
21 correct?

22 A. Yes.

23 Q. And you told the Court in Washington that you
24 lost access -- actually why don't you tell me when did
25 you lose access to your nChain e-mail address?

1 A. It was in March of 2020 sometime.

2 Q. So did you not collect documents from your
3 nChain e-mail address in response to our subpoena?

4 A. The document request only -- the time period
5 of your document request was only to May 2018 if I
6 recall; is that correct?

7 So the e-mails I have on my work computer only
8 go back one year, 2019. So I didn't have any e-mail
9 communications from the time period that's responsive to
10 your request.

11 Q. Where are the prior e-mails stored?

12 A. Probably would be on the nChain server, I
13 assume.

14 Q. Do you have access to that server?

15 A. No, I do not.

16 Q. When did you lose access to that server?

17 A. Well, I don't control the server. It's
18 nChain's information technology people who control the
19 server.

20 Q. If you wanted an e-mail that was older than a
21 year old while you were still CEO of nChain how would
22 you get it?

23 A. If I was still CEO then yes, I would talk to
24 one of the IT professionals.

25 Q. You had no ability to search for documents,

1 e-mails on your own that were over a year old?

2 A. I don't recall how that was set up.

3 Q. Did your access to nChain's e-mails change --
4 let me strike that. When did you lose access to your
5 nChain e-mail account?

6 A. I think it was around March 12th through 19th
7 timeframe.

8 Q. And prior to March 12th through 19th did your
9 ability to access your nChain e-mail account change from
10 before you were CEO to after you were CEO and were the
11 chair of the Strategic Advisory Board?

12 A. I'm sorry, can you repeat the question?

13 Q. Yes, prior to March 12th did your access to
14 your nChain e-mail account change when you went from
15 being nChain's CEO to the chair of nChain's Strategic
16 Advisory Board?

17 A. No, but I can tell you something that I think
18 will short circuit this subject matter which is I -- my
19 first nChain e-mail account was using a domain called
20 nChainHoldings.com since I was working for the holding
21 company and that was until I believe sometime in the
22 summer or fall of 2018 when some of us who use
23 nChainHoldings.com account such as me Stefan Matthews
24 and some other people we decided to basically
25 consolidate down at the time and I moved over to an

1 nChain.com e-mail account which was after the time
2 period of -- covered by your subpoena request and so any
3 access I would have to the nChainHoldings.com e-mail
4 account is not in my work. In fact I didn't have that
5 e-mail box on my computer.

6 Q. Remind me -- I know you said it. What was the
7 date that you switched from nChain Holdings to the --

8 A. I believe it was summer or fall of 2018.

9 Q. Did Craig also have an nChain Holdings e-mail
10 account?

11 A. I don't think he ever did.

12 MR. FREEDMAN: I need to take -- we've been
13 going over an hour. I need to take a quick
14 restroom break. I don't know if anybody else does.
15 I can do five minutes or three minutes or even two
16 it's up to -- anybody have any preferences?

17 MR. RIVERO: Follow up on Spencer's question
18 from earlier, any ETA on when we finish here?

19 THE VIDEOGRAPHER: Should we go off the video
20 record?

21 MR. FREEDMAN: Sure.

22 THE VIDEOGRAPHER: Going off the video record
23 5:26 p.m. eastern.

24 (Thereupon, a brief recess was taken.)

25 THE VIDEOGRAPHER: We are back on the record.

1 The time is 5:33 p.m. Eastern Standard Time.

2 BY MR. FREEDMAN

3 Q. Mr. Nguyen, when did you -- when did you form
4 the belief that Craig Wright was Satoshi Nakamoto?

5 A. That's a tough question to answer. I don't
6 know that there was a specific date.

7 Q. Why don't we do it this way. Did that you
8 have belief by the time you were CEO of nChain?

9 A. Yes, I would say by then, yes.

10 Q. So by December 2017 you were confident he was
11 Satoshi?

12 A. Yes, by that point I had been working with him
13 for over a year. It was -- I would say, you know, nine
14 months to a year after working with him. It's a hard
15 question to answer because, you know, my level of
16 confidence grew over time in believing that he is
17 Satoshi so at what point it gets past I feel confident
18 enough to say it out loud.

19 Q. If by November of 2018 -- sorry, if by
20 December of 2017 when you came CEO you were pretty
21 confident about it. Safe to say by January of 2019 you
22 were very sure about it or sufficiently sure that you
23 had reached maximum assurance you were going to reach?

24 A. I wouldn't say I had reached maximum assurance
25 by then. I would say just sufficiently confident.

1 Q. Do you recall in approximately January of 2019
2 being interviewed by SFOX?

3 A. SFOX, yes, I've done more than one interview
4 with them so I don't remember the particular months but
5 I remember being interviewed by SFOX.

6 MR. FREEDMAN: I am going to try and get this
7 on the screen for you. This is going to be our
8 Exhibit 12.

9 (Plaintiff's Exhibit No. 12 was
10 marked for identification.)

11 BY MR. FREEDMAN

12 Q. Do you see that video on the screen now?

13 A. I do.

14 MR. FREEDMAN: So bear with me. Let's listen
15 to the 24 minute 43 second mark.

16 MR. NGUYEN: Disrupt that economic balance.
17 So while I again Satoshi's not sitting around
18 publicly telling us this is what I meant or didn't
19 mean. So it was very hard to read early writings
20 and know what is meant. That's why I say it
21 doesn't mean there can't be basic improvements to
22 fix bugs. You shouldn't be messing around with
23 core principles. A good example is --

24 BY MR. FREEDMAN

25 Q. Did you -- do you recall making that sentence?

1 A. Not specifically. I remember doing that
2 interview.

3 Q. That's you and that's your statements; right?

4 A. Correct.

5 Q. At a time when you said you were very sure
6 that Craig Wright was Satoshi you just said I get it
7 Satoshi is not sitting around telling us what he meant.
8 I don't understand how those two statements are
9 consistent.

10 A. What I mean by that is first of all, not
11 everybody -- in fact most of the digital currency world
12 does not believe Craig is Satoshi and it's all over the
13 internet. I was talking about whether we follow the
14 original protocol of Bitcoin which is a big debate in
15 the Bitcoin community and what I was meaning is that
16 there is not a person that everyone believes is Satoshi
17 and he is saying this is what I meant in section five of
18 the white paper and this part the code and therefore
19 people will follow him if there is a debate over what to
20 do.

21 I'll give you an analogy. Ethereum which is a
22 competing block chain project Vitalik Buterin is well
23 known and recognized as founder of Ethereum. If he says
24 we need to scale Ethereum with this new attempted
25 technology feature people will believe him because they

1 believe he is the founder of Ethereum. When Craig
2 Wright comes forward and says I am Satoshi many people
3 do not believe him and that's why in the debates over
4 the Bitcoin protocol and how to scale Bitcoin there's
5 not a Satoshi people have consensus on that if he
6 surfaces and says this is what we should do to grow
7 Bitcoin and follow my original plan for Bitcoin no one
8 believes it. I hope that makes sense.

9 Q. Would you say that nChain was set up to
10 professionalize the research and work efforts that Craig
11 Wright had been doing in Australia?

12 A. I would say nChain was set up to
13 professionalize Craig and Craig's work and certainly,
14 you know, professionalize his efforts to realize his
15 visions of Bitcoin.

16 MR. FREEDMAN: I am going to share with you
17 what is now going to be Exhibit 13.

18 (Plaintiff's Exhibit No. 13 was
19 marked for identification.)

20 BY MR. FREEDMAN

21 Q. Do you remember giving an interview to Bit
22 Stocks Media in March of 2019?

23 A. I do.

24 MR. FREEDMAN: And I'm going to bring you to
25 the 43 minute mark and let's take a listen here.

1 VIDEO AUDIO VOICE: Good morning.

2 MR. NGUYEN: No, yes, no, yes, I did -- I
3 thought about this whole effort. I worked with him
4 sort of behind the scenes to help on certain
5 things. Craig had moved his family from Australia
6 to London, the nChain business was set up to sort
7 of professionalize the research and work efforts he
8 had been undergoing in Australia and I had got
9 asked one day after just through conversations to
10 take on a role because I think they knew -- I had
11 close relationships with clients and I was looking
12 to explore something else. I wasn't the obvious
13 person to bring on board because I was in the
14 United States, I didn't want to move to London
15 but --

16 BY MR. FREEDMAN

17 Q. I can keep going but the part -- so do you
18 recall giving this interview?

19 A. I do recall the interview.

20 Q. That's you and an accurate recording?

21 A. Yes.

22 Q. So a couple questions. What did you mean when
23 you said "I worked with them sort of behind the scenes."
24 Who is them?

25 A. I was referring to the nChain company that we

1 discussed.

2 Q. You said "to help on certain things." Are
3 those the things we've discussed in this deposition?

4 A. Yes.

5 Q. And then I believe you gave kind of the quote
6 what I was saying before nChain business was set up to
7 sort of the professionalize the research efforts he had
8 you know been undergoing in Australia. Is that
9 accurate?

10 A. Yes. It's accurate that it was set up to
11 professionalize the research work efforts.

12 Q. But actually at this time you hadn't even had
13 any communications with Craig Wright; correct?

14 A. That's not -- at the time of the interview you
15 mean?

16 Q. Not at this time of the interview. At the
17 time you came on board to help behind the scenes.

18 A. I had not had any communications with Craig.
19 I had communications with Stefan Matthews about the work
20 they were trying to do with nChain.

21 Q. So was the plan to move him from Australia to
22 London and set up a business around him?

23 A. I can't tell you what happened in the very
24 beginning because I was not involved with the
25 discussions with Craig which led to him moving to the

1 United Kingdom. I can tell you what I've learned since
2 if that's what you're asking.

3 MR. FREEDMAN: So let me bring up another --
4 it will become Exhibit 14.

5 (Plaintiff's Exhibit No. 14 was
6 marked for identification.)

7 BY MR. FREEDMAN

8 Q. I am going to share with you. All right. Do
9 you see an interview you've done here with Vincent
10 Everts?

11 A. Yes.

12 Q. Do you recall this interview?

13 A. I do.

14 Q. I'm going to bring you to the 16:43 minute
15 mark or so. Okay. Let's listen here for a minute and
16 I've got some questions for you if that's all right?

17 A. Sure.

18 MR. NGUYEN: Exploring digital currency and
19 then Craig was -- the plan was set to have him move
20 from Australia to London and reset the business.
21 He was running the business in Australia doing
22 Bitcoin research. Essentially similar to what
23 nChain is doing now but we needed more professional
24 teams around him to elevate his process. So I was
25 involved --

1 BY MR. FREEDMAN

2 Q. That's the part. So I guess first
3 housekeeping accurate portrayal of your statements?

4 A. That is my interview.

5 Q. And so you just said the plan was to set -- to
6 have him move from Australia to London and reset up a
7 business around him. He was running businesses in
8 Australia and doing Bitcoin research, block chain
9 research there essentially similar to what nChain is
10 doing now but needed more professional teams around him
11 to elevate his process. Is that an accurate portrayal
12 of your statement?

13 A. That's correct.

14 Q. Is that a true statement?

15 A. Yes, as far as I understand I guess I should
16 just explained what I mean by that. As I understand it
17 Craig's Australian companies the work was to be, you
18 know, to be succinct about it a big mess. It was messy.
19 He has brilliant ideas but they were not directed.
20 There was research being done. There was data being
21 collected through I think like some super computer but
22 he didn't have a particularly good vision of what to do
23 with it all and also manage a team.

24 Craig is not and he has told me this many
25 times himself that's why he didn't become CEO of nChain

1 when it was formed he didn't want to manage people on a
2 business. He wanted to focus on his work. He is not
3 good at managing teams. So I was told that what was,
4 you know required from the DeMorgan Group of companies
5 there was research but very just sort of undirected, not
6 a clear vision and plan of what to do with things. A
7 lot of things about Bitcoin block chain and no effort or
8 even idea of patenting anything and nChain when it went
9 up and when I helped to move this process along was to
10 bring a professional team around him of both researchers
11 and developers and have a more coherent plan for what
12 the business was going to try to do and manage that and
13 developing an actual patent program that the DeMorgan
14 companies never even thought to do or tried to do.

15 Apparently Craig's told me several times while
16 he was in Australia at the DeMorgan companies he never
17 even thought about patenting anything. The idea was
18 only raised by Rob MacGregor. He's told me that as well
19 in the discussions to do the transaction that led to the
20 acquisition of DeMorgan assets and moving Craig to the
21 UK.

22 So it was putting a more professional team
23 around him and more professionalizing just the purpose
24 of the work because Craig is just not good at that.

25 Q. Would it be fair to say that the nChain

1 business in its origins was birthed by Craig?

2 A. That's a hard question for me to answer
3 because I wasn't there. I can just go from what I've
4 been told. You know, I understand it was birthed by Rob
5 MacGregor. Obviously Craig is, you know, a proponent of
6 it because he's the chief scientist and thinker but who
7 birthed nChain that's a tougher question for me to
8 answer.

9 Q. I mean you were at one point the CEO of the
10 company. I mean --

11 A. Correct.

12 Q. Didn't you review its records, didn't you go
13 through its contracts, didn't you get an understanding
14 of where it came from?

15 A. I saw for example in one of the documents you
16 showed me earlier the history of entities that were part
17 of the group. They were formed before me and as I
18 understood them and I was told they were formed by Rob
19 or people who worked for Rob. The formation of the
20 company was as I understood it not formed by Craig.

21 Q. But you saw that the assets were acquired and
22 the business was moved to London?

23 A. Well, I would correct that statement. The
24 DeMorgan businesses were not moved to London. They were
25 as I understand them wound down. I think there maybe --

1 so what was moved to London is Craig assets acquired,
2 right, from the DeMorgan Group were not technically
3 moved to London. I think they're owned by the nChain
4 Holdings company but the work -- the work process was
5 moved to London so the entities were not moved to
6 London.

7 I guess I hope that explains things. In
8 Australia and/or wound down and nChain Holdings was
9 created in Antigua and nChain Limited was created in the
10 UK. New companies that did not exist before with
11 Craig's DeMorgan Group of companies in Australia.

12 Q. It just sounds to me that you're getting
13 technical about what exactly was moved but it seems to
14 me that at the -- end of the day the assets were
15 acquired and the business was moved to London with those
16 assets?

17 MR. RIVERO: Object to the form.

18 THE WITNESS: Depends what you mean by the
19 business moved to London.

20 BY MR. FREEDMAN

21 Q. Well, why don't we take a look at this
22 interview you gave. Do you recall giving this interview
23 introduction to nChain Jimmy Nguyen from ESILV?

24 A. I'm not sure this is an interview. It might
25 be a speech.

1 MR. FREEDMAN: Okay, that works too. Let's go
2 to the 2:32 mark.

3 MR. NGUYEN: Into huge wins. Let me tell you
4 about nChain. The nChain business in its origins
5 was birthed by Dr. Craig Wright our chief scientist
6 with businesses in Australia.

7 (Plaintiff's Exhibit No. 15 was
8 marked for identification.)

9 BY MR. FREEDMAN

10 Q. Let me stop you there for a second. I asked
11 you that before and you told me that's not what you said
12 that's exactly you said exactly verbatim in the speech?

13 MR. RIVERO: Object to the form.

14 THE WITNESS: Yes, I would say that's probably
15 not the most artfully phrased way of putting it.
16 What I meant by that is look, the work Craig wants
17 to do is about Bitcoin, block chain. It's work he
18 started with research in Australia. Those assets
19 were acquired. He moved to the United Kingdom to
20 London and he wants to continue doing the same
21 field of work.

22 So I think it is accurate to say aspects of
23 his work were moved to London. I think probably
24 why I didn't clarify because I was giving a speech
25 to students here, didn't want to get into all the

1 technical details entities were not moved to London
2 and technically the assets of the DeMorgan Group
3 companies were actually not owned by the new London
4 company. They were owned by a company in another
5 country.

6 This is me talking to this is a university in
7 Paris talking to students in shorthand you know
8 rather than getting into these more formal
9 corporate and technical legal details.

10 BY MR. FREEDMAN

11 Q. But at the end of the day the company that
12 purchased the assets may have been formed in a foreign
13 jurisdiction still part of the nChain Group of
14 companies, right?

15 A. I'm sorry, could you repeat that question?

16 Q. Sure. You seem to be saying that it's not
17 that the business was moved to London because the entity
18 that purchased the DeMorgan Group assets was actually
19 not incorporated in London, it was a foreign entity and
20 my statement to you is at the end of the day it was a
21 sister company that was a subsidiary of nChain Holdings;
22 right?

23 A. I think at the time it was a subsidiary.

24 Q. All part of the nChain Group of companies?

25 A. Yes. I think it's fair to say -- yes, it's

1 part of the nChain group of companies.

2 Q. I just wanted to let's hear the next sentence
3 here.

4 MR. NGUYEN: The assets were acquired and the
5 business was moved to London.

6 BY MR. FREEDMAN

7 Q. Again you were quibbling with it before I
8 understand you're explaining that you were talking to
9 students I think you and I are now on the same page that
10 while technically there might have been a foreign
11 jurisdiction the entity was still part of nChain's group
12 of companies, fair enough?

13 A. Yes, but I think you may be misstating what
14 I'm intending here. Craig's entities were not moved to
15 London. They remained in Australia and were wound down.
16 So if you're asking me whether Craig's businesses, the
17 actual companies were moved to the United Kingdom or
18 anywhere else in Australia that's not true as far as I
19 understand.

20 Q. Go ahead. Sorry. I think you're 100 percent
21 right and it's not my intention to say you took DeMorgan
22 and moved it to the UK, not you but whoever orchestrated
23 this, stripped out all the assets of the company, its
24 intellectual property and moved those into another
25 company?

1 MR. RIVERO: Object to the form. Is this a
2 question?

3 MR. FREEDMAN: You didn't let me finish. I
4 guess it's not yet. Why don't you let me finish my
5 question. Let me restate that.

6 BY MR. FREEDMAN

7 Q. I understand that the actual entity itself
8 wasn't moved and DeMorgan was wound down. My point is
9 somebody and it appears it was either orchestrated by
10 Robert MacGregor took the assets of DeMorgan, its
11 intellectual property assets and moved those to the
12 nChain Group of companies?

13 MR. RIVERO: Object to the form.

14 MR. FREEDMAN: Sorry, you said that's correct.

15 THE WITNESS: That is correct.

16 MR. FREEDMAN: Thank you.

17 BY MR. FREEDMAN

18 Q. Do you know whether after that sale occurred
19 if Craig retained any ownership interest in the
20 intellectual property?

21 A. That was assigned to the nChain Group of
22 companies from DeMorgan?

23 Q. Correct.

24 A. I don't believe so. I have had review of the
25 transaction documents in the past that I don't recall

1 when he retained any. Pretty sure they wanted -- when
2 you're acquiring a business you want -- the assets you
3 want to acquire what you can acquire.

4 Q. Do you think that part of the motivation for
5 the sale was not to have challenges to any IP later on
6 when nChain really started to get big?

7 A. I can't answer that question because I was not
8 involved in the transaction.

9 Q. Do you think any motivation from these
10 transactions were about removing ownership from former
11 directors because -- before they knew what it would
12 become?

13 MR. RIVERO: Objection.

14 THE WITNESS: I have no basis to answer that
15 question.

16 MR. FREEDMAN: I'm going to share with you
17 Mr. Nguyen an exhibit document that's been produced
18 by the defendant in this litigation. It's under
19 the Bates label Defense AUS1585291 and that will
20 become according to my list Exhibit 16 to the
21 deposition.

22 (Plaintiff's Exhibit No. 16 was
23 marked for identification.)

24 BY MR. FREEDMAN

25 Q. Can you see that document there?

1 A. I can.

2 Q. Do you recognize this as a -- the C@Wyno.CA as
3 Calvin's e-mail address?

4 A. No.

5 Q. Do you Craig S. Wright Craig@RCJBR as Craig's?

6 A. I believe that's Craig's personal address.

7 Q. Have you e-mailed Craig at his personal e-mail
8 address?

9 A. I think I have.

10 Q. Has he e-mailed you back from his personal
11 e-mail address?

12 A. Yes.

13 Q. Also I see here that Sterling was mentioned.
14 Is this potentially where you picked up Sterling?

15 A. No. Because I don't recognize that e-mail
16 address. I'm not sure I've ever seen an e-mail address
17 with the Sterling domain.

18 Q. Have you ever seen this e-mail before?

19 A. No.

20 Q. Show you this e-mail that was sent from
21 Craig's personal e-mail address to C@Wyno.CA which I'll
22 represent to you is Calvin Ayre's e-mail address with CC
23 to Jim Phillip who I don't know and Stefan Matthews who
24 we both know. It's on June 19th 2015 and I want to
25 bring you down to the bottom of the e-mail and I want

1 to -- if you can, can you read from this paragraph here
2 that starts with so?

3 A. So I understand who is the person who
4 supposedly sent this portion of the e-mail thread?

5 Q. Craig from his personal e-mail address. You
6 see it there?

7 A. Okay.

8 Q. Go ahead. From "so" please for the record?

9 A. Portion you're asking me to read says "so,
10 what I am seeking to do is have the entity as clean and
11 polished as I can before we start going forth. I do not
12 want to have challenges to any IP later on when things
13 start to get big."

14 Q. Can you read the second -- the next paragraph
15 underneath that that one that starts with I?

16 A. Yes, next paragraph says "I want to remove any
17 ownership from former directors before they know what it
18 could become so they cannot challenge anything later."

19 Q. Does this surprise you?

20 A. I have no reaction to it.

21 Q. I mean it seems to be and I'm not an IP lawyer
22 like you it seems to be Craig saying he wants to get the
23 assets out of the DeMorgan Group of companies before
24 anybody realized they had value and he wanted to
25 monetize them?

1 A. I don't interpret it that way.

2 MR. RIVERO: Object to the form.

3 BY MR. FREEDMAN

4 Q. How do you interpret it?

5 MR. RIVERO: Objection to the form.

6 THE WITNESS: Well, I wasn't involved at the
7 time or -- with this e-mail thread so I don't know
8 the full context of what they're talking about but
9 it sounds like you know, when you are setting up a
10 new company you don't want to have problems with,
11 you know, past company relations. That's pretty
12 normal with acquisitions.

13 Then he says at the bottom the last line you
14 did not have me read concludes the e-mail "if you
15 need anything else explained I am open and will
16 answer honestly and completely."

17 That tells me that there wasn't anything
18 untoward going on here. He is just saying he will
19 answer honestly and completely.

20 BY MR. FREEDMAN

21 Q. Let's break that down a little bit. Who
22 that -- he is e-mailing here Calvin Ayre and Stefan
23 Matthews the people who are helping him strip the assets
24 out, start a new company and monetize it so I wouldn't
25 say he is being open and honest here with the directors

1 he's seeking to remove their ownership from before they
2 realize they actually had assets. He is saying he will
3 be open and honest with his coconspirators?

4 MR. RIVERO: Objection, argumentative.

5 THE WITNESS: I disagree with many
6 characterizations in your very long question. And
7 as I said I was not involved in this e-mail thread
8 or any of the discussions at the time of this
9 e-mail so I can't comment on it any further.

10 BY MR. FREEDMAN

11 Q. As an IP lawyer who practiced for a long time
12 did you regularly see people say they want to remove any
13 ownership of former directors before they know what it
14 could become so they cannot challenge it later?

15 MR. RIVERO: Objection, Mr. Nguyen is not
16 appearing as an expert so object to the form of the
17 question.

18 MR. FREEDMAN: You can answer Mr. Nguyen.

19 THE WITNESS: Have I heard that statement like
20 that before in my legal practice obviously I cannot
21 tell you about things that are protected by my
22 years of attorney-client privileged relationships.

23 BY MR. FREEDMAN

24 Q. Mr. Nguyen, when nChain was formed did it have
25 any assets other than the assets that had been purchased

1 from DeMorgan?

2 A. I don't know because I was not there when the
3 nChain entities were formed.

4 Q. During your time as CEO of nChain did you
5 identify any assets that were sourced from the beginning
6 of nChain that did not come from DeMorgan group of
7 companies?

8 A. Well, while I was working for nChain including
9 while I was CEO nChain created many new assets.

10 Q. But I'm not talking about what they did later.
11 I'm saying when nChain was formed did it have any assets
12 outside -- let me make it a narrow question. When
13 nChain was formed did it have any intellectual property
14 assets outside of the ones it acquired from the DeMorgan
15 Group?

16 A. I do not know.

17 Q. Are you aware of any assets, any intellectual
18 property assets, it had at the time of its formation
19 besides the DeMorgan Group?

20 A. Talking about nChain Holdings company or which
21 entity?

22 Q. I realize I threw a word there that doesn't
23 belong. Let me restate the question. Are you aware of
24 nChain Holdings having any intellectual property outside
25 of the DeMorgan intellectual property assets it acquired

1 when it acquired those assets?

2 A. NChain Holdings did not that I know of. I
3 guess I'll say I don't know whether nChain Holdings had
4 any other IP assets at this time of its formation or
5 acquisition of the DeMorgan assets.

6 Certain nChain Holdings subsidiaries, other
7 companies in the nChain group did. I'll complete that
8 sentence. Other subsidiaries in the nChain group of
9 companies did have other IP assets apart from and
10 unrelated to the DeMorgan Group assets.

11 Q. Okay. Mr. Nguyen, I'm going to share with you
12 another document that's been produced in this litigation
13 as Defense 1074241. Can you -- is it showing up on your
14 screen?

15 A. It is.

16 MR. FREEDMAN: Can you take a look at that
17 document and let me know if you recognize it. It
18 it's going to be marked as Exhibit 17 to your
19 deposition.

20 (Plaintiff's Exhibit No. 17 was
21 marked for identification.)

22 THE WITNESS: I have never seen this before.

23 BY MR. FREEDMAN

24 Q. You have never seen this document before?

25 A. No.

1 Q. Do you know what ended up happening to the
2 company called nCrypt Limited?

3 A. That's a little confusing. I have to go back
4 and look at the history because I believe nCrypt Limited
5 that is referenced here because it's referencing a UK
6 address in London that is a prior name of nChain Limited
7 UK entity. There was a name change.

8 Q. And you were brought on board nChain about a
9 month after this was signed, right, less than a month.
10 In September of 2016. So weeks after this was signed --
11 after this power of attorney was made; correct?

12 A. Yes.

13 Q. And during your entire stint at nChain
14 including your time as its CEO you did not know that
15 nChain held a power of attorney over the intellectual
16 property that had been assigned to it by Craig Wright?

17 A. The purpose of these power of attorneys
18 typically is part of the patent prosecution process
19 where because Craig worked for the company for under its
20 name nCrypt Limited and changed to nChain Limited when a
21 patent lawyer files patent applications they need a
22 power of attorney.

23 So I don't know what happened with this one
24 but I'm assuming based on my experience with the patent
25 prosecution process that's why this was executed.

1 Q. That's certainly one use for them I agree but
2 isn't it also true that this would authorize nCrypt to
3 manage any litigation over intellectual property created
4 by Craig Wright?

5 A. I have to read this first.

6 Q. Why don't you go ahead. Tell me.

7 A. Yes, I think there's a mistake in the first
8 paragraph. What this is meant to do is when employee
9 typically intellectual property I work for a company and
10 I create work product, you know, inventions, things
11 while doing my work at the company the company owns the
12 intellectual property, not the employee. But when you
13 file patent applications you have to name who the
14 inventor is and the inventor is actually the individual
15 employee.

16 So for example I work for Microsoft I invent
17 something great and new at Microsoft. I'm personally
18 the inventor but Microsoft under its employment
19 agreement or conditions with me owns the invention to
20 file a patent application for that patent lawyers still
21 have to identify the individual who is the inventor and
22 confirm that they have the power to file the patent
23 application in the name of the company even though the
24 inventor is the individual.

25 So that's why there is the explanation that

1 this is designed to give power of attorney to be able to
2 file IP registration prosecution applications for the
3 employee IP as you can see is a defined term where Craig
4 is an employee of the company and therefore he needs to
5 give power of attorney to the company and its lawyers to
6 be able to prosecute, take action to protect the IP.

7 Q. Do you know whether Ira Kleiman or Dave's
8 estate had any shares in Craig's former companies?

9 A. I have no idea.

10 Q. Do you know what the book value of any of
11 those former shares were?

12 A. I said I don't know if they had any shares so
13 I couldn't tell you what the value is.

14 Q. Let me refine that question. Do you know what
15 the book value of any of the shares of Craig's former
16 companies were worth?

17 A. No.

18 Q. Are you aware of a WK ID software package that
19 was owned by Craig's companies prior to nChain?

20 A. Could you repeat that?

21 Q. Sure. Are you aware of a WK ID software
22 package owned by Craig's companies prior to nChain?

23 A. That does not ring a bell.

24 MR. FREEDMAN: Why don't we take five. Let me
25 see if I can reorganize things in a way to get us

1 out of here a little quicker rather than sit and
2 wait while I do it. Let's take five.

3 THE VIDEOGRAPHER: Going off the record at
4 6:13 p.m. eastern time.

5 (Thereupon, a brief recess was taken.)

6 THE VIDEOGRAPHER: We are back on the video
7 record. The time is 6:29 p.m. Eastern time.

8 BY MR. FREEDMAN

9 Q. Mr. Nguyen, I want to -- let's introduce
10 Exhibit 18 to your deposition which is another
11 interview. You weren't kidding, you do a lot. I
12 actually can't hear you. I think you might be -- either
13 you're on mute -- you're not on mute but I can't hear
14 you talking.

15 A. Can you hear me now?

16 Q. Yes.

17 A. I heard you play something. I heard an audio
18 of me talking but didn't see anything.

19 MR. FREEDMAN: I realize it's not Exhibit 18.
20 I already introduced this video as Exhibit 13. I
21 already confirmed that's an accurate video of you
22 so we don't need to go back.

23 BY MR. FREEDMAN

24 Q. Is it accurate Jimmy -- Mr. Nguyen, to say
25 nChain has one of the largest block chain portfolios in

1 the world?

2 A. Yes, from what I understand, yes.

3 (Plaintiff's Exhibit No. 18 was
4 marked for identification.)

5 BY MR. FREEDMAN

6 Q. And I am going to now introduce what I hope is
7 going to work as Exhibit 18 and see if I can get that to
8 share with you. Do you see that video up there?

9 A. I see something that says Risk Warning and
10 Disclaimer.

11 Q. Underneath Jimmy Nguyen on Bitcoin SV from
12 Trader Cobb.

13 A. Okay.

14 Q. I just want you -- do you recall this
15 interview now that you've had a chance to see it? Happy
16 to let it play longer if you want.

17 A. I recall being interviewed by Trader Cobb. I
18 don't remember this specific one.

19 Q. Play it for a minute. You want to listen for
20 a minute to see if it recalls your recollection?

21 MR. NGUYEN: I started working more with the
22 nChain business in 2016 and then it merged publicly
23 in 2016. Recently I took an executive role with
24 dealing with IP portfolio. It is one of the
25 largest block chain patent portfolios in the world.

1 Eventually took another role as CEO.

2 BY MR. FREEDMAN

3 Q. Again happy to let it play. You don't recall
4 giving this interview?

5 A. I don't recall it sitting here but I'm sure I
6 did because that's me.

7 Q. That's an accurate portrayal of your
8 interview?

9 A. Yes.

10 Q. Approximately how valuable is nChain's IP
11 portfolio?

12 A. I could not tell you.

13 Q. As nChain's IP portfolio grows in value so
14 does nChain; right?

15 A. Yes. The enterprise value of nChain which is
16 different than IP value.

17 Q. Have you ever contacted any prospective buyers
18 regarding nChain's intellectual property pursuant -- let
19 me just stop there. Have you ever tried to sell any of
20 nChain's intellectual property or nChain itself?

21 A. No.

22 Q. Even though you were contracted to do that?

23 A. Correct.

24 Q. Why did you not end up doing that?

25 A. It was too early in nChain and each new IP

1 portfolio's life. Intellectual property especially
2 patents take a long time to get through the system.
3 When you file a patent application it can take two,
4 three, sometimes even longer years for it to be granted.
5 And before a patent -- when a patent is still just an
6 application, right, you don't know if you're going to
7 get it granted. You don't know what the scope of your
8 patent is. You can get narrowed. You can get split
9 into more than one.

10 So you know from my experience as a former IP
11 lawyer in dealing with such things value is. Greater --
12 first of all, there's not that much value in patent
13 applications before they're granted. Once they're
14 granted I think people would understand of course it
15 adds more value because it's been granted. Then patents
16 get even more value after they've been tested,
17 challenged for example, right, just because you have a
18 patent another company or person can still challenge it
19 and say I think it infringes mine or it's invalid or it
20 gets tested in the litigation.

21 So patents have the most value after they have
22 not just been applied for, granted but tested and then
23 also commercialized. Just because you have a piece of
24 intellectual property, a patent until companies use it,
25 you know, in business, make money off of it, right, it's

1 very -- first of all, it's hard to show what its value
2 is. You have a patent who an invention but you don't
3 know what the market demand for it is. How many -- what
4 types of businesses want to use it. What's the
5 industry. Even though I was brought on board to
6 commercialize and help monetize the IP portfolio one of
7 the biggest, you know, pieces of advice I delivered
8 early on was I think this is too early.

9 Q. So while you were doing your job of trying to
10 commercialize that IP portfolio did you -- were you
11 involved in the tracking the progress of these patents
12 as they were moving forward toward patents?

13 A. I was involved.

14 Q. And did nChain have like a patent road map or
15 a large Excel sheet of some kind where it would keep
16 track of all its patents and its inventorship and where
17 it was holding and what stage that sort of thing?

18 A. I believe our outside patent counsel kept
19 that.

20 Q. I'm going to share with you another exhibit I
21 think this is going to become. Hold on. There we are.
22 Technology is great until it stops working on you.

23 A. I know that from block chain.

24 Q. Come up with a deposition solution for block
25 chain.

1

A. I will try to think of one.

A horizontal bar chart with 25 rows, each representing an age group from 1 to 25. The bars are black and their lengths vary, representing the number of people in each age group. The bars for ages 1, 4, 6, 10, 15, 20, and 24 are shorter than the others, while the bars for ages 3, 14, and 25 are the longest.

Age Group	Number of People (approximate)
1	15
2	85
3	100
4	95
5	98
6	88
7	85
8	15
9	88
10	35
11	85
12	90
13	98
14	100
15	45
16	35
17	95
18	85
19	95
20	25
21	90
22	55
23	95
24	10
25	98

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]n

16 [REDACTED]

17 [REDACTED].

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1

2

3

4

5

6

7

8 Q. You just said a moment ago you're not a
9 professional patent appraiser; right?

10 A. That is correct.

11 Q. But Baker & McKenzie is a professional patent
12 appraiser; correct?

13 A. I don't know.

14 MR. RIVERO: Objection.

15 BY MR. FREEDMAN

16 Q. They were hired to perform this analysis?

17 A. They were. Not by me but they were.

18 Q. And they are a very large, well known firm?

19 A. Yes.

20 Q. Did you ever orchestrate another assessment or
21 valuation of nChain's intellectual property?

22 A. I did.

23 Q. With who?

24 A. It was precisely because I -- not just me
25 Stefan Matthews because he is the one who sent me this

1 Baker & McKenzie report to look at. Neither of us found
2 it credible. So he said would you -- he asked me to try
3 and find other valuation firms to take a look at the IP
4 portfolio and get a second or even a third opinion.
5 Like going to a doctor and not, you know, believing what
6 the doctor says and you want to get a second or third
7 opinion.

8 MR. FREEDMAN: Let me just give you an update.
9 I've gone through my entire outline that I had
10 here. I think I'm probably done. I want to go
11 through it all, make sure there's nothing left.
12 Then I'll turn it over. I don't know if Mr. Rivero
13 has any questions or not.

14 So let's take ten this time and hopefully come
15 back and either let you go right away or it will be
16 very short guaranteed.

17 THE WITNESS: Thank you.

18 THE VIDEOGRAPHER: Going off the video record
19 6:47 p.m. eastern time.

20 (Thereupon, a brief recess was taken.)

21 THE VIDEOGRAPHER: We are back on the record.

22 The time is 7:03 p.m. Eastern Standard Time.

23 BY MR. FREEDMAN

24 Q. Mr. Nguyen, did you ever discuss -- again
25 during the time period that your lawyer's permitting you

1 to testify about did you ever discuss with Craig how he
2 should explain his role and the development of Bitcoin?

3 A. No. I don't think I remember discussing that.

4 Q. Did you ever discuss with Craig how he should
5 explain the role of others in the development of
6 Bitcoin?

7 A. I heard him talk about it but I never talked
8 to him about how he described anything.

9 Q. Did you ever convey to Craig he should
10 emphasize his role in developing Bitcoin and
11 de-emphasize the role of others?

12 A. No.

13 Q. To your knowledge has anyone conveyed that
14 sentiment to Craig?

15 A. I have never heard that.

16 Q. Did you ever convey to Craig that it was in
17 nChain's best interest for Craig to be Satoshi alone?

18 A. No.

19 Q. To your knowledge has anyone else tried to
20 convey to Craig that that was in nChain's best interest?

21 A. Not to my knowledge.

22 Q. Do you believe it's in nChain's best interest
23 for Craig to have been Satoshi alone?

24 A. Right now I don't speak for nChain any more
25 but I'll say what I say to media generally which is I

1 don't think it matters for nChain or for what is being
2 built in the Bitcoin SV ecosystem. Both that company as
3 well as Bitcoin SV after we're trying to build real
4 value based on real utility and therefore that's more
5 important than this question of whether Craig is Satoshi
6 Nakamoto or not which I know is a question of great
7 interest out there but I believe the company as well as
8 what we're doing at Bitcoin SV has to succeed based on
9 its technology, not on whether Craig is Satoshi.

10 Q. I understand that and I understand the
11 argument you're making and that's fine but that's not
12 quite what I was asking. Let me phrase it this way. Do
13 you really believe that nChain's value would not
14 increase if Craig came out and conclusively proved to
15 the crypto community that he was Satoshi Nakamoto?

16 MR. RIVERO: Object to the form.

17 THE WITNESS: Yes, I can't really answer that
18 question because mostly because of the second part
19 of it. I don't know that there's anything he could
20 do given the history of the Satoshi question that
21 would definitively prove to the cryptocurrency
22 cryptography world that he is Satoshi Nakamoto.

23 There are too many people who will always doubt it.

24 BY MR. FREEDMAN

25 Q. I mean sitting here today you do not believe

1 the value of nChain would increase if Craig Wright
2 signed a message publicly with a private key to the
3 Genesis block?

4 MR. RIVERO: Object to the form.

5 THE WITNESS: I don't have a basis to answer
6 that.

7 BY MR. FREEDMAN

8 Q. Do you really think the majority of the
9 Bitcoin world would reject his claim of being Satoshi
10 Nakamoto if he could sign with a private key to the
11 Genesis block?

12 MR. SILVERGLATE: Object to the form.

13 MR. RIVERO: Object to the form.

14 THE WITNESS: I can't speak for the majority
15 of the Bitcoin community. I can tell you I've seen
16 online posts, social media, you know, messages
17 online, I don't know if the media reports, lots of
18 online chatter with people saying even if he did
19 sign a transaction using a private key from one of
20 the early Bitcoin blocks that people would believe
21 it's Satoshi.

22 People wouldn't believe him. I've seen many
23 people write that. They'll say he just, you know,
24 got the keys from someone else, that they're not
25 really his and they don't prove he is Satoshi.

1 Doesn't prove it.

2 Digital currency community has gone through
3 this evolution of all the different ways where you
4 could believe Craig is not Satoshi Nakamoto because
5 there's such dislike for him among so many people
6 in the cryptocurrency world. That's what I mean by
7 there's almost nothing I think do that would
8 conclusively prove to many of the cryptocurrency
9 world.

10 BY MR. FREEDMAN

11 Q. There will always be people on the fringes of
12 any community Mr. Nguyen I understand that. There are
13 some people that will never accept Craig Wright as
14 Satoshi Nakamoto. Are you really testifying that it's
15 your -- it's your testimony today that you think there
16 wouldn't be a significant contingent of people who would
17 accept his claim of Satoshi if he signed a public
18 message with the private key of the Genesis block?

19 MR. RIVERO: Objection to form.

20 THE WITNESS: I think if Craig did that it
21 would lead more people to conclude that he is
22 Satoshi Nakamoto. I still believe there would be
23 many doubters. So I can't really -- have no basis
24 to quantify whether an action like that would lead
25 the consensus of the world to believe that he is

1 Satoshi. I just know that many people are saying
2 even now they still wouldn't believe him.

3 BY MR. FREEDMAN

4 Q. But many people would believe it. Sorry, let
5 me finish the question. Don't you think that would lead
6 to an increase in nChain's value?

7 MR. SILVERGLATE: Object to the form.

8 MR. RIVERO: Object to the form.

9 THE WITNESS: I think you're asking me to
10 speculate on a number of different things as to how
11 it would play out. I don't have a basis to do
12 that.

13 BY MR. FREEDMAN

14 Q. I mean Robert MacGregor clearly believed he
15 would be able to sell the intellectual property for a
16 lot of money if he could prove Craig was Satoshi; right?

17 MR. RIVERO: Objection.

18 MR. SILVERGLATE: Objection.

19 THE WITNESS: That's what was said to me. I
20 don't know that it was just about selling the
21 intellectual property but monetizing it.

22 BY MR. FREEDMAN

23 Q. Do you believe that Bitcoin's Satoshi Vision
24 or BSV would increase in value if Craig were able to
25 prove -- if Craig came out and signed with the key to

1 the Genesis block?

2 MR. RIVERO: Objection to this entire line of
3 questioning.

4 MR. SILVERGLATE: Same objection.

5 THE WITNESS: Again that would require me to
6 speculate on what affects digital currency prices
7 which SV -- if you've seen the digital currency
8 world are very volatile and frankly very hard to
9 explain.

10 BY MR. FREEDMAN

11 Q. I understand I'm asking you to speculate.
12 Speculate for me do you think the price would go up?

13 MR. RIVERO: Objection to form.

14 THE WITNESS: I've always been advised to not
15 speculate in a deposition.

16 BY MR. FREEDMAN

17 Q. That's true. That's good advice but I am
18 specifically asking you to speculate so speculate for
19 me.

20 MR. RIVERO: Objection.

21 BY MR. FREEDMAN

22 Q. What do you think would happen to the price?

23 MR. SILVERGLATE: Form.

24 THE WITNESS: I don't know. I can't tell you,
25 the event has not happened. So it's clearly been

1 as I recall when there was the proof efforts to try
2 and prove Craig is Satoshi in early reports. I
3 don't remember that Bitcoin price at the time but I
4 don't recall that causing a significant change in
5 price then or significant drop in the price when it
6 appeared that Craig did not prove conclusively he
7 was Satoshi back in May of 2016.

8 That's the only basis I would have to know
9 about whether an event like that would affect the
10 price of Bitcoin.

11 BY MR. FREEDMAN

12 Q. There was no BSV when he failed to prove in
13 2016 that he was Satoshi; right?

14 A. That's true but there was BTC.

15 Q. Sure. But my point is BSV claims to be
16 following Satoshi's original vision?

17 A. Yes.

18 Q. Craig is very important part of the BSV story,
19 it's not the only part of BSV story but you and I can
20 agree it's an important part of the BSV story; right?

21 A. It's certainly an important part of -- yes
22 it's important part of the BSV. Exactly as you said I
23 in particular as a leader of the ecosystem has worked
24 very hard to make Bitcoin SV not about Craig. Bitcoin
25 SV has to grow and grow in value and succeed not because

1 of any one person. It has to technically work.

2 We have to get away from a digital currency
3 value that's tied to a personality. Who would want long
4 term to own a digital asset and to use a block chain
5 technology platform based upon the personality of one
6 person? To me that doesn't give the coin value, real
7 value. Sort of saying it's valuable because he is a
8 person. That doesn't make sense.

9 Q. Craig has stated to you that for a period he
10 sought to keep his involvement in Bitcoin a secret;
11 right?

12 A. Yes.

13 Q. And do you know why he sought to keep it a
14 secret?

15 A. I don't know fully the reason in his head. At
16 the time it it's been over a very long period of time
17 before I knew Craig but as I understand from my talks
18 with him over the years he wanted privacy. He likes to
19 work. He wants to sit and work on his research and
20 thinking. He is an academic.

21 He did not -- he is not comfortable or was not
22 comfortable with attention. He's gotten more
23 comfortable with it now. He was not comfortable with
24 public attention. He wanted to protect his family from,
25 you know, too much scrutiny and the other thing he's

1 told me is that, you know, some people -- a lot of
2 people in the digital currency world want to try and try
3 to treat Satoshi as like a god. Some mythic figure,
4 right that has delivered Bitcoin to the world and he
5 didn't want to be that. Be perceived that way he's told
6 me.

7 Most importantly big debate that happens in
8 the Bitcoin world is whether you should change the
9 protocol, the technical rule set upon which Bitcoin
10 works. There is an early Satoshi Nakamoto famous online
11 post, famous in the digital currency world where Satoshi
12 says the Bitcoin protocol needs to be set in stone after
13 its client version I believe 0.1.0 and the reason that's
14 important to why Craig didn't want to be out as Satoshi
15 is he said his philosophy is like Craig rule set it's
16 got to say frozen, not change like the internet protocol
17 does not change very much therefore we can operate on a
18 stable platform. And therefore there's nobody in
19 charge.

20 There's no king of Bitcoin who can change the
21 rules. It should just be left there and if in the
22 beginning he told me if he was perceived to be Satoshi
23 then everyone will just follow what Satoshi says to do
24 and he wanted Bitcoin to be a system that was not
25 susceptible to interference by government or businesses

1 who could change it in ways.

2 It was designed to provide light, prevent
3 fraud in the world. All these things he envisioned that
4 required but not to be someone in charge of it or
5 perceived to be in charge of it.

6 Q. I am going to keep asking questions. My
7 screen I'm getting a little bit of interference. I am
8 going to shut my video off to see if it helps with the
9 feed. Still can you hear me?

10 A. Yes.

11 (Plaintiff's Exhibit No. 20 was
12 marked for identification.)

13 BY MR. FREEDMAN

14 Q. So I am going to share with you a video for
15 time purposes I just want to verify that this is in fact
16 an interview you recall. This is Dr. Craig Wright Jimmy
17 Nguyen at the Oxford Union. Happy to play some of it
18 for you so you can take a look.

19 A. I remember this.

20 VIDEO AUDIO VOICE: Everything it needs to do
21 anything --

22 BY MR. FREEDMAN

23 Q. Do you recall this interview or this
24 recording, presentation?

25 A. Yes. It was not an interview more of I don't

1 know what you call it.

2 Q. Presentation of some kind? Is this video an
3 accurate portrayal of that episode?

4 A. I haven't watched the whole video but I would
5 assume so.

6 Q. Any reason to believe it's not an accurate
7 video?

8 A. Not so far from what you've shown me so far.

9 MR. FREEDMAN: Well, then let's go
10 particularly to one particular portion.

11 MR. NGUYEN: It's been the internet's biggest
12 mystery for long time who is Satoshi Nakamoto. For
13 reasons we won't talk about here Craig chose to be
14 private about his history in Bitcoin. As you might
15 imagine, you know, this has an impact on one's
16 family and one's personal life.

17 For various reasons he chose to be private
18 about it. For various reasons that emerge
19 including the battle over Bitcoin's future what we
20 believe is vital to ensure that the network thrives
21 and survives.

22 BY MR. FREEDMAN

23 Q. Is that an accurate statement you made?

24 A. Yes.

25 Q. And Craig was the one who told you he wanted

1 to keep his involvement in Bitcoin a secret?

2 A. He didn't say so in so many words. Talk about
3 why he was private about it.

4 Q. He never told you he wanted to stay private
5 about it?

6 A. No, I said he told me he wanted to stay
7 private. I don't know that he used the word secret. We
8 have had discussions where -- reasons why he wanted to
9 stay private. He did not want to be known publicly.

10 MR. WRIGHT: Gizmodo were played by a
11 contrarian. Mr. Contrarian was sending documents
12 that were stolen from my company and payment we
13 didn't talk about our employees and everyone else.
14 As Jimmy knows we have 45 staff in 2013. In the
15 dates when no one knew about Bitcoin I had 45 staff
16 in Australia working on Bitcoin projects basically
17 secretly under the radar.

18 BY MR. FREEDMAN

19 Q. SO he has used the word "secret" involved in
20 his discussions of Bitcoin; right?

21 A. There he is talking about secret team of
22 employees in Australia working in secret. Wasn't
23 talking about keeping Satoshi a secret. Not quibbling
24 over the word secret. Certainly didn't want to be
25 private about being Satoshi.

1 Q. You don't have to use the word secret. He
2 definitely expressed the desire he didn't want people to
3 know he was Satoshi; fair?

4 A. Yes.

5 Q. Are you now willing now that we've skipped
6 around this are you willing to say this is an accurate
7 video recording of your session at the Oxford Union?

8 MR. SILVERGLATE: Objection to form.

9 THE WITNESS: Sorry?

10 MR. SILVERGLATE: I objected to the form.

11 MR. FREEDMAN: Jimmy, what was your answer?

12 MR. RIVERO: Join.

13 THE WITNESS: Yes. Obviously I hadn't watched
14 the whole video. I never have. It looks -- I
15 don't have any reason so far to believe it's not an
16 accurate recording.

17 (Plaintiff's Exhibit No. 21 was
18 marked for identification.)

19 BY MR. FREEDMAN

20 Q. Okay. You've mentioned this other let's
21 introduce Exhibit 21 to the deposition which is I
22 believe you've talked about this particular presentation
23 today with -- are you seeing the Bitcoin Association You
24 Tube on the screen?

25 A. This is from Coin Geek's channel but has a

1 picture of me with any name and Bitcoin Association on
2 it if that's the one.

3 Q. This is I believe the interview you were
4 talking about earlier about interviewing Craig but why
5 don't we watch a few minutes of it and you tell me if
6 you recognize it?

7 VIDEO AUDIO VOICE: So did you create Bitcoin?

8 MR. WRIGHT: Yes.

9 THE WITNESS: I did not to see any more. This
10 is the video.

11 BY MR. FREEDMAN

12 Q. You see it's on Coin Geek's channel. Is this
13 an accurate portrayal of your back and forth with Dr.
14 Wright?

15 A. Yes.

16 Q. In this interview do you recall Craig telling
17 you that he had help from Dave Kleiman?

18 A. Yes, I believe he said that.

19 Q. And do you recall Dave telling you that --
20 sorry, strike that. Do you recall Craig telling you
21 that Dave Kleiman responded from the Satoshi account?

22 A. I don't remember if he said that in the
23 interview but it sounds familiar. It's something Craig
24 has told me. Whether it's in this interview or not I
25 don't recall.

1 Q. So Craig has told you previously that Dave
2 interacted and had access to the Satoshi account?

3 A. He's told me that they both posted from
4 Satoshi account sometimes.

5 Q. I just want to spend a little bit more time
6 because I would have thought that would have come out
7 earlier did he say anything else to you about Dave's
8 role as assisting him as Satoshi?

9 A. In this interview or generally?

10 Q. Generally.

11 A. Not much other than what I've told you.

12 Q. Did he tell you that Dave helped keep the
13 system running in the beginning?

14 A. I don't remember if that quote was used.

15 Q. Let's take a look first at --

16 A. There's some familiarity to that --

17 MR. WRIGHT: Because I had a cattle ranch and
18 ran up there with all the machines. The other
19 aspect that followed that that I needed to address
20 was Microsoft and patch Tuesday. Anyone remember
21 patch Tuesday? I really hadn't thought about
22 running a bunch of stand alone Windows XP machines
23 until everything turned off at the same time.

24 So that was another reason Bitcoin before the
25 current block chain turned off from crashing

1 literally on that Tuesday night everything updated,
2 turned off and restarted and just caused a massive,
3 massive problem because the two things split and
4 didn't sync and I had not thought about that one.
5 So that was the next part I had to do. I had to
6 run around and I bought a whole bunch of Microsoft
7 licenses at excessive prices and installed a domain
8 in there and a work group and so I set up a forest
9 between my two locations and ran out all these
10 machines. Set up a WUSS server, W-U-S-S, many
11 Australians we made fun of Microsoft calling it a
12 Wuss but we set up a Wuss service and Dave actually
13 helped on some of that because I couldn't get it
14 all done fast enough. I had to set up a full --

15 BY MR. FREEDMAN

16 Q. Does that help refresh your recollection?

17 A. Yes, I did not remember that part of the
18 exchange but what you played for me I do remember that.

19 Q. Did Craig tell you that Dave was one of the
20 first two users of Bitcoin?

21 A. I don't recall and it depends what you mean by
22 users, user of Bitcoin.

23 MR. FREEDMAN: Take a look.

24 MR. WRIGHT: So that every node wouldn't go
25 out and calculate their own and people say it's

1 wasting 50 Bitcoin but it's not wasting anything
2 because there was no value at the time. We're
3 talking no exchanges, no users. I mean for the
4 first few days I was the only user. Then hell,
5 when Dave and a few other people jumped in.

6 BY MR. FREEDMAN

7 Q. Do you recall now him telling you that Dave
8 was one of the first couple users or few users of
9 Bitcoin?

10 A. Yes, I guess I interpret users of Bitcoin is
11 differently. I think he is referring to running a
12 version of the client software and mining.

13 Q. So right, that's -- you're right. Let me
14 state that better. Do you recall Craig telling you that
15 Dave Kleiman was one of the first two people to have ran
16 a Bitcoin node and mined Bitcoin beside himself?

17 A. I think in that click you've just referred --
18 shown me that's what he means. To the extent he didn't
19 quite phrase it that way. My interpretation is that
20 what that means.

21 Q. Did -- has he ever told you anything besides
22 that -- sorry, strike that. Has he ever told you this
23 in any other setting besides this one?

24 A. No.

25 Q. You said to me previously that you believe --

1 actually you know what let me ask you. Do you believe
2 that Satoshi was a group of people or just one person?

3 MR. RIVERO: Object to the form.

4 THE WITNESS: I don't have a basis to answer
5 that because I wasn't there at the creation of
6 Bitcoin. Did not work with whoever created Bitcoin
7 at the time.

8 BY MR. FREEDMAN

9 Q. So let's introduce -- if it will let me,
10 Exhibit 22 to your deposition. I'm going to bring us
11 to -- I think this is Exhibit 2 to your deposition
12 already. Let's take a look at this time stamp.

13 MR. NGUYEN: Does that mean I believe he is
14 Satoshi. First of all I think Satoshi Nakamoto was
15 a group of people.

16 BY MR. FREEDMAN

17 Q. Can you explain that?

18 A. Yes, I have to see I guess the rest of the
19 answer.

20 MR. FREEDMAN: Sure. Hold on. That's fair.
21 Let me play it for you.

22 MR. NGUYEN: And do I believe --

23 MR. FREEDMAN: I'll rewind it for you.

24 MR. NGUYEN: So does that mean I believe he is
25 Satoshi Nakamoto. First of all I think Satoshi

1 Nakamoto was a group of people. I don't think
2 that's a shock to anyone out there. Do I believe
3 he was part of that group, tune in May 30th, Coin
4 Geek Toronto.

5 BY MR. FREEDMAN

6 Q. Do you want to hear more?

7 A. No, I think that's enough.

8 Q. Is that a true statement?

9 A. Yes, I think that's what I was willing to say
10 at the time. You can tell I was trying to be coy to
11 tease what was going to happen at this conference. I
12 think it's consistent with what I've said before which
13 is Craig was the -- as I understand is the primary
14 creator of Bitcoin and he had help including help as you
15 mentioned here responding from Satoshi online accounts.

16 Q. Right. But there's a difference between I am
17 Satoshi and I had some help doing it and I believe
18 Satoshi is a group of people.

19 A. Well, like I said it depends on was there a
20 group of people who worked on helping Craig with the
21 creation of Bitcoin including at least one I've been
22 told responded from the Satoshi Nakamoto account, yes.

23 Q. And one of those individuals is Dave Kleiman?

24 A. Yes.

25 Q. And your reference here to that group of

1 people included a group that included Dave Kleiman?

2 A. What's the date here? Yes, it would include
3 Dave Kleiman because I had understood at the time he,
4 you know, was a friend of Craig and he helped Craig.

5 Q. Are you aware of an expert report that's been
6 filed in this litigation by Amy Klinn?

7 A. No.

8 Q. Do you believe Craig is incapable of
9 manipulating anyone?

10 MR. RIVERO: Object to the form.

11 THE WITNESS: I can't answer that question. I
12 don't have a basis to answer that question. I am
13 not even sure what that means.

14 BY MR. FREEDMAN

15 Q. Do you believe Craig is incapable of lying?

16 MR. RIVERO: Objection.

17 THE WITNESS: I can't answer that question. I
18 don't know.

19 BY MR. FREEDMAN

20 Q. Do you think he can lie?

21 MR. RIVERO: Objection.

22 THE WITNESS: I don't know.

23 BY MR. FREEDMAN

24 Q. You don't know if you think he can lie?

25 MR. RIVERO: Objection.

1 MR. SILVERGLATE: Objection, asked and
2 answered.

3 MR. FREEDMAN: You can answer.

4 THE WITNESS: I don't have a basis to answer
5 that because I have not had an occasion to think
6 that he lied to me.

7 BY MR. FREEDMAN

8 Q. Not asking if he is a liar or if you think he
9 lied to you. I'm just asking if you think he is capable
10 of telling a lie?

11 A. I am not sure what you're asking. To me?

12 MR. RIVERO: Standing objection. I've been
13 listening to this gibberish for almost eight hours,
14 seven hours. You've asked the same thing four
15 times. It's an improper question. How long are
16 you going to keep going on this -- when you told us
17 40 minutes ago you were taking a ten minute break
18 because you were almost done?

19 MR. FREEDMAN: Mr. Rivero, you know you're
20 limited to objection to form.

21 MR. RIVERO: What's your time estimate since
22 once again you proved that I can't rely on your
23 word? What's your time estimate?

24 MR. FREEDMAN: Mr. Rivero, I have seven hours
25 and since every time I try in good faith to tell

1 you how long I think it's going to take I told you
2 I made a mistake I pointed out I had missed a
3 module, that I was trying to get you out of here.
4 You can believe what you want to believe but please
5 objection to form.

6 MR. RIVERO: Mr. Videographer, please count
7 the time up because I know how this ends. I've
8 been to this movie before with this judge.

9 MR. FREEDMAN: Do you want to take a break and
10 let him count it up?

11 MR. RIVERO: No, sir, I want you to keep
12 going. Ask your questions.

13 BY MR. FREEDMAN

14 Q. So before we were interrupted, Mr. Nguyen, I
15 asked you yes, if he is mentally capable of telling a
16 lie?

17 A. I have no basis to judge that. Mental health
18 expert psychologist I don't know who would even be
19 qualified -- what kind of qualifications you need to
20 answer that question.

21 Q. Have you ever heard to have someone called
22 Garreth Williams?

23 A. I feel like I've heard the name. I don't know
24 who that is.

25 Q. Has Craig ever mentioned this person to you?

1 A. I don't recall. I feel like I've heard the
2 name but not sure.

3 Q. Has Craig ever mentioned Wing Commander Don
4 Linem to you?

5 A. Again I think that name I heard before but I'm
6 not sure.

7 Q. Have you ever reviewed a document identifying
8 potential red flags or competing claims to nChain's IP?

9 A. Not that I can recall.

10 Q. Has Calvin Ayre invested in BSV?

11 A. What does that mean invested in BSV?

12 Q. Do you think Calvin Ayre has assets invested
13 in BSV?

14 A. I guess that's one question that does not make
15 sense to me.

16 Q. I hear you. Let me refine it for you. Do you
17 believe that Calvin Ayre holds large amounts BSV?

18 A. I know he mines BSV so I'm sure he holds BSV.

19 Q. Do you believe Stefan Matthews holds large
20 amounts of BSV?

21 A. I don't know.

22 MR. FREEDMAN: That's all I have. Thank you
23 so much Mr. Nguyen. I apologize for interrupting
24 your day. We can go off the record but I wanted to
25 have a meet and confer with Spencer. Doesn't need

1 to be on the record. As far as I'm concerned
2 Mr. Nguyen you're free to go. Thank you.

3 THE WITNESS: Thank you.

4 MR. SILVERGLATE: Questions, Andres?

5 MR. RIVERO: Thank you Jimmy, I don't. No, I
6 don't.

7 MR. SILVERGLATE: We don't waive reading and
8 we will read the deposition if it's ordered.

9 THE VIDEOGRAPHER: The time is 7:35 p.m. and
10 we're going off the video record.

11 MR. FREEDMAN: Can you give me the rough
12 tonight, whatever condition it's in?

13 (Witness excused.)

14 (Deposition was concluded.)

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CERTIFICATE OF REPORTER

THE STATE OF FLORIDA

COUNTY OF DADE


I, Rick Levy, Registered Professional Reporter and Notary Public in and for the State of Florida at large, do hereby certify that I was authorized to and did report said deposition in stenotype of DR. JIMMY NGUYEN; and that the foregoing pages, numbered from 1 to 206, inclusive, are a true and correct transcription of my shorthand notes of said deposition.

I further certify that said deposition was taken at the time and place hereinabove set forth and that the taking of said deposition was commenced and completed as hereinabove set out.

I further certify that I am not attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of party connected with the action, nor am I financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of May, 2020.



Rick Levy, RPR, FPR, Notary Public
in and for the State of Florida
My Commission Expires: 12/8/2023
My Commission No.: GG937684

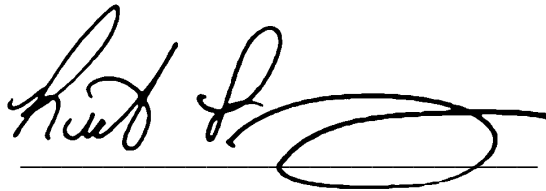
CERTIFICATE OF OATH

THE STATE OF FLORIDA

COUNTY OF DADE

I, Rick Levy, REGISTERED PROFESSIONAL REPORTER,
Notary Public, State of Florida, certify that JIMMY
NGUYEN remotely appeared before me on the 30TH day
of April, 2020 and was duly sworn.

Signed this 7th day of May, 2020.



Rick Levy, RPR, FPR
Notary Public - State of Florida
My Commission Expires: 12/8/2023
My Commission No.: GG937684

